LAW OFFICES

BEVERIDGE & DIAMOND, P. C.

SUITE 700 1350 I STREET, N.W. WASHINGTON, D. C. 20005-3311

(202) 789-6000

TELECOPIER (202) 789-6190

February 28, 1997

40TH FLOOR 437 MADISON AVENUE NEW YORK, N. Y. 10022-7380 (212) 702-5400

BEVERIDGE & DIAMOND **SUITE 400** ONE BRIDGE PLAZA FORT LEE, N. J. 07024-7502 (201) 585-8162

BEVERIDGE & DIAMOND **SUITE 3400** ONE SANSOME STREET SAN FRANCISCO, CA 94104-4438 (415) 397-0100

EPA Region 5 Records Ctr.

Dick Clarke 2040 East Kempr Road Cincinnati, OH 45241-1804

SKINNER LANDFILL SUPERFUND SITE

Dear Mr. Clarke:

Karl S. Bourdeau

KBourdeau@bdlaw.com

(202) 789-6019

This firm represents a group of companies, including The Dow Chemical Company, Ford Motor Company, GE Aircraft Engines, Morton International, PPG Industries, Inc., and Velsicol Chemical Corporation (hereinafter "the Group"), in an action to be filed on their behalf in March 1997 in the United States District Court for the Southern District of Ohio. The Group consists of companies that have incurred response costs associated with the Skinner Landfill in West Chester, Ohio ("the Site") and are parties to a Unilateral Administrative Order and Consent Order with the United States Environmental Protection Agency ("EPA") regarding certain activities at the Site. The Complaint will seek from you and a number of other defendants recovery of costs incurred and to be incurred by the Group.

Most of the defendants have already received some background information about the Skinner Landfill from EPA. Upon information and belief, the Site was used for waste disposal from the 1930s until the late 1980s. The Site was operated as a family-owned business from the time the Skinners purchased the property (in or around 1947). All members of the Skinner family that worked at the Site have been deposed or interviewed regarding operations of the landfill and identification of PRPs. In addition, Elsa Skinner, who maintained the accounting records for the Skinner business for the entire time it was in operation, provided an accounting ledger spanning the period 1955 to 1987.

Many parties have already received nexus data that describe the evidence allegedly tying them to the Site. Enclosed with this letter is an additional package referencing your alleged nexus to the Site. This information was obtained through the efforts of EPA and the Group. EPA conducted a Responsible Party Search, took several administrative depositions and conducted several witness interviews, and obtained responses to Section 104(e) requests for information from a number of PRPs. The Group hired an investigator to identify additional PRPs and to interview individuals

BEVERIDGE & DIAMOND, P. C.

with knowledge of the Site and its customers during the years of operation.^{1/}

As we mentioned above, the Group intends to file its Complaint in March, but will temporarily refrain from serving the Complaint on you in the hope that the parties can reach consensus on an Alternative Dispute Resolution ("ADR") process to be conducted in lieu of traditional litigation. We believe that this approach is more equitable and cost effective for all the parties concerned. As you know, EPA has already endorsed such an approach in this case to bring about an allocation that is fair, reasonable, and acceptable to the parties.

As you know, there is a meeting scheduled for March 11, 1997 in Cincinnati to discuss these and other issues. We will provide to you shortly before or at that meeting a model ADR protocol that we would like to use as a starting point for developing a consensual ADR process. The Group wants to stress that you and your client will have input on the type of allocation process that will be most effective for this particular Site. We anticipate using the next month to entertain comments on the ADR procedure and to develop an acceptable ADR process.

We encourage you to attend the March 11th meeting. If you have any questions before then, please feel free to call me at (202) 789-6019, Fred Wagner of my office at (202) 789-6041, or Michael Kay at (517) 636-7872.

Sincerely yours,

Karl S. Bourdeau

On Behalf of: The Dow Chemical Company, Ford Motor Company, GE Aircraft Engines Morton International, PPG Industries, Inc. Velsicol Chemical Corporation

Enclosures

 $[\]underline{1}$ / At the request of EPA, the nexus materials have been redacted in an initial effort to protect the privacy of non-Skinner family member witnesses. We anticipate that full, unredacted versions of the nexus materials will be provided to cooperating PRPs during the course of the ADR proceedings.

CONFIDENTIAL

SKINNER LANDFILL PRP GROUP

Interview of Mrs. Elsa Skinner-Morgan February 10, 1993

at the law firm of

Holbrook, Jonson, Evans & Olivas 315 S. Monument Ave Hamilton, Ohio 45012

In Attendance

For the PRP Group:	Charles R. Dyas, Jr., Esq. Robin Couch, Esq. Don Sonney	(CRD) (RC) (DS)
For Mrs. Skinner-Mo	rgan: Timothy Evans, Esq. Mrs. Elsa Skinner-Morgan Mr. James Morgan	(TE) (ES) (JM)

(Transcript of Tape Recorded Interview)

RECEIVED

JAN 3 0 1997

Legal Department

- E.S. No.
- J.M. Mt. Orab area, way in the country.
- C.R.D. You moved over once you got married?
- E.S. Yeah, to my house. He worked in Genoa, that's where I met him. Cincinnati Concrete Pipe.
- D.S. I want to start talking a little bit about the types of companies that come in there, and I'd like to divide it a little bit into two types of companies. There are companies that I call hauling companies that would go around to industries and stuff and collect the pick-up, and then there's companies, you know that actually manufacture that have their own transportation and stuff that could bring stuff out to your site. Let's talk about hauling companies first. Do you know, what hauling companies used your site that you remember?
 - E.S. You mean that picked up this --
- D.S. Yeah, that went around, had regular routes and ended up out at your site?
 - E.S. Well, there was King --
 - D.S. Okay.
 - E.S. Um, Whitten --
 - D.S. Okay.
- E.S. Clarke, C-1-a-r-k-e, uh, those are the three big ones.
- D.S. Those are the three big ones? When you were operating the site or when Albert was operating, were there, Rumpke is around this area, correct?
 - E.S. Yes.
 - D.S. BFIs around this area?
 - E.S. Yeah. Rumpke got most of the business.
 - D.S. Okay.
 - E.S. BFI's just lately.
 - D.S. Just lately?
 - E.S. Yeah. Compared to when we were.

- E.S. It was when I ran it.
- C.R.D. And what about Clarke?
- E.S. Same.
- C.R.D. Demolition?
- E.S. Yeah. Waste too, I think.
- C.R.D. And waste?
- E.S. Um hum.
- C.R.D. And this was during the same time period --
- E.S. He did pickups too, you know.
- C.R.D. During the time you ran it?
- E.S. And before.
- C.R.D. Clarke was before?
- E.S. Oh, yeah. All those years.
- C.R.D. Was Whitten before that?
- E.S. No, Whitten was afterwards, he was one of the last ones.
 - C.R.D. And King?
 - E.S. He and King was one of the last ones.
 - C.R.D. King --
 - E.S. King Container.
 - C.R.D. King Wrecking or King Container.
- E.S. King Container. Wrecking too. It was known as Wrecking first, then they parted some of it off and called it container, and I had to bill Containers instead of the wrecking. I first would bill King Wrecking.
- D.S. You did quite a bit of billing, I think we were looking through, and we got about 99 companies, probably at one time or another, you billed, uh, like Acme Wrecking Company, do you remember that one? What did they haul?
 - E.S. Uh hum, that was short lived, they didn't come to --

- E.S. They never hauled anything I know of, now Clark is part of that so he probably did.
 - D.S. They bought Clark?
 - E.S. Clark is BFI too.
 - D.S. Okay.
 - E.S. So he probably --
 - D.S. Okay.
- E.S. When he hauled in there who knows. Now he has his place right in West Chester there.
 - D.S. Okay.
 - E.S. He has a BF sign (INAUDIBLE)
 - D.S. Dick Clark is that his name?
 - E.S. Yeah.
 - R.C. -- He also runs an air (INAUDIBLE)
- D.S. Oh yeah, of course that is the first thing I thought of when I read it.
 - E.S. More laughter, he stayed young looking didn't he.
 - R.C. -- Oh yeah.
 - E.S. Up till now anyway.
 - R.C. -- Amazing.
 - D.S. Amazing surgery probably.
 - E.S. Laughter. He says not.
- D.S. Yeah, I know. Borden, Incorporated, do you remember Borden being out there?
 - E.S. Not really.
 - D.S. Alright, how about Butler Manufacturing?
 - E.S. Yeah. That was mostly wood in the old days.
- D.S. Mostly wood in the old days, what do they make, do you know.

- D.S. Right. And anything specific you remember about it. Cincinnati Industrial Machinery Company. Does that one ring a bell?
- E.S. That was probably old parts and stuff. But that wasn't often neither.
- D.S. And you say Clarks, he was in there quite a bit, huh?
 - E.S. Yeah. Even when I ran it.
 - D.S. And do you know what all he handled, what type --
- E.S. No. It was always covered up. But I told him I only took demolition when I ran it. Before that he'd haul anything in there. Anything and everything.
- D.S. Did he come -- when Albert was there? He hauled anything and everything in there?
 - E.S. Sure.
 - D.S. Did he have all dump trucks, do you remember, Clark?
 - E.S. Yes. Pretty big dump trucks.
 - D.S. Just one that you remember being out there?
 - E.S. No, he had several trucks and drivers.
- D.S. Did you get many of the rolloff trucks or compactors coming in there?
 - E.S. None.
- D.S. Oh, really, you don't remember any rolloffs or compactors ever being in there.
- E.S. No, well yeah. Roll offs -- what do you mean by roll offs? They could take the end off and leave it there?
 - D.S. Yeah.
- E.S. Kings Mills and I mean King Container, they're dumpsters. We call them dumpsters. Yeah. They let them there so they could -- we would make them pick up stuff that we didn't want that they had dumped, put it back in their own dumpster, and haul it back out over to Rumpke
- D.S. Who would actually pick that stuff up and put it back in the dumpster for them?

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DUNS: 03-871-8458

CLARKE, INC

DATE PRINTED AUG 30 2000

SUMMARY RATING 2R2

9740 CINCINNATI DAYTON RD WEST CHESTER OH 45069

TEL: 513 779-2000

REFUSE COLLECTING STARTED 1965 & TRANSPORTING SALES \$800,000

WITHOUT DISPOSAL & EMPLOYS 6 DEMOLITION HISTORY CLEAR

CONTRACTING

SIC NOS. 42 12 17 95

CHIEF EXECUTIVE: RICHARD CLARKE, PRES-TREAS

* * * CUSTOMER SERVICE * * *

If you have questions about this report, please call our Customer Service Center at 1-800-234-3867 from anywhere within the U.S. If you are outside the U.S., contact your local D&B office.

*** Additional Decision Support Available ***

Additional D&B products, credit recommendations and specialized investigations are available to help you evaluate this company or its industry. Call Dun & Bradstreet's Solution Center at 1-800-362-3425 from anywhere within the U.S.

* * * SUMMARY ANALYSIS * * *

The Summary Analysis section reflects information in D&B's file as of August 28, 2000.

RATING SUMMARY

The "2R" portion of the Rating (the Rating Classification) indicates business size of fewer than 10 employees for this company. The "2" on the right (Composite Credit Appraisal) indicates an overall "good" credit appraisal. This credit appraisal was assigned because the payment information in D&B's file indicates the majority of this company's obligations are retired satisfactorily and this company's number of years in business.

Below is an overview of the company's D&B Rating(s) since 01/01/91:

RATING	DATE APPLIED
2R2	09/18/96
2R3	07/13/95
	01/01/91

FRURESCONTENENT FROM THE FORESCONDER FOR THE FRONT FOR THE FRONT FROM THE FRONT FRONT FROM THE FROM THE FRONT F

The Payment Summary section reflects payment information in D&B's file as of the date of this report.

The PAYDEX for this company is 80.

This PAYDEX score indicates that payments to suppliers are generally within terms, weighted by dollar amounts. When dollar amounts are not considered, approximately 96% of the company's payments are within terms.

Below is an overview of the company's dollar-weighted payments, segmented by its suppliers' primary industries:

	TOTAL	TOTAL DOLLAR	LARGEST HIGH	% W∕IN		DAYS S	SLOW	
	RCV'D	AMOUNTS			<31	31-60	61-90	91+
	#	\$	\$	8	8	8	8	8
Total in D&B's file	8	27,950	25,000					
Payment By Industry:								
1 Short-trm busn credi	Lt 2	27,500	25,000	100	_	-	_	_
2 Telephone communictr	ns 2	200	100	100	_	_	-	_
3 Periodical-print/pub		100	100	100	_	-	-	-
4 Whol electrical equi	.p 1	50	50	_	100	-	-	_
5 Radiotelephone commu	ın 1	50	50	100	-	-	-	_
6 Whol plumb/hydronics	s 1	50	50	100	-	-	-	-
Other Payment Categorie	es:							
Cash experiences	0	0	0					
Payment record unknown	n 0	0	0	1				
Unfavorable comments Placed for collection	0	0	0					
with D&B	0	0						
other	0	N/A						

The highest "Now Owes" on file is \$2,500 The highest "Past Due" on file is \$ 0

The aggregate dollar amount of the 8 payment experiences in D&B's file equals 41.9% of this company's average monthly sales. In Dun & Bradstreet's opinion, payment experiences exceeding 10% of a company's average monthly sales can be considered representative of payment performance.

PAYMENTS (Amounts may be rounded to nearest figure in prescribed ranges)

Antic - Anticipated (Payments received prior to date of invoice)

Disc - Discounted (Payments received within trade discount period)

Ppt - Prompt (Payments received within terms granted)

REPORTED PAYING HIGH NOW PAST SELLING LAST SALE RECORD CREDIT OWES DUE TERMS WITHIN 08/00 -0-100 -0-1 Mo 07/00 100 50 Ppt -0-1 Mo

	Slow 5	50	-0-	-0-	N30	1 Mo
06/00	Ppt	2500	2500	-0-		
	Ppt	100	-0-	-0-	и30	4-5 Mos
02/00	Ppt	25000	-0-	-0-		2-3 Mos
01/00	Ppt	50	-0-	-0-	N30	6-12 Mos
10/99	Ppt	50	50	-0-	2 10 N30	1 Mo

- * Payment experiences reflect how bills are met in relation to the terms granted. In some instances payment beyond terms can be the result of disputes over merchandise, skipped invoices etc.
- * Each experience shown represents a separate account reported by a supplier. Updated trade experiences replace those previously reported.

FINANCE 08/07/00

On AUG 07 2000 Kim Norton, Secretary, submitted the above figures Sources contacted verified information on August 7, 2000.

HISTORY 08/07/00

RICHARD CLARKE, PRES-TREAS RICHARD CLARKE II, V PRES PHYLLIS CLARKE, SEC

DIRECTOR(S): THE OFFICER(S)

______ CORPORATE AND BUSINESS REGISTRATIONS REPORTED BY THE SECRETARY

OF STATE OR OTHER OFFICIAL SOURCE AS OF 08/21/2000:

Profit

BUSINESS TYPE: Corporation - DATE INCORPORATED: 07/30/1990 STATE OF INCORP: Ohio

AUTH SHARES-COMMON: 750

PAR VALUE-COMMON: No Par Value

Business started 1955 by other family members. Present control succeeded 1965. Relocated 1993 from 9300 Cincinnati-Dayton Rd. 100% of capital stock is owned by officers.

1967-88 operated as a corporation Clarke's Services Incorporated. In 1988 changed to proprietorship of Richard Clarke who had been principal management factor since 1965. Subject incorporated again in Jul 1990 as Clarke, Inc.
RICHARD CLARKE born 1939. 1965 to present active here.

RICHARD CLARKE II born 1963. Active here since 1984. Also prior to 1985 completing education.

PHYLLIS CLARKE born 1943. Active in subject on part-time basis since 1976. 1964-76 active in the home.

OPERATION

08/07/00

Refuse collecting and transporting without disposal (85%) and demolition contracting (15%).

Terms are net 10 days. Sells to commercial and industrial accounts. Territory : Local.

Nonseasonal.

EMPLOYEES: 6 which includes officer(s).

FACILITIES: Rents 13,000 sq. ft. in a one story steel Leases

from officers.
LOCATION: Suburban business section on main street.
08-30(1XL /182) 99999 012182182

FULL DISPLAY COMPLETE

Company Information

Business Name:

clarke's services incORPORATED

D&B D-U-N-S® Number:

07-288-4323

Address:

9740 CINCINNATI DAYTON RD

City:

WEST CHESTER

State/Province:

OHIO

Country:

USA

Zip/Post Code:

45069

Telephone:

Operating Status:

5137792000 Inactive

Industry Sector(s):

9999 - Nonclassifiable establishments

Year Started:

1964

Business Structure:

This is a SINGLE Location

Marketability Code:

NO

To receive a Business Information Report, select a language and then .

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IN DATE

DUNS: 04-555-6651 CLARKE'S INCINERATORS INC

DATE PRINTED AUG 30 2000

RATING

+CLARKE CONTAINER +ALL STAR CLARKE CONTAINERS REFUSE SYSTEM SIC NO.

STARTED 1981 EMPLOYS 5

49 53 HISTORY CLEAR

2040 E KEMPER RD CINCINNATI OH 45241

TEL: 513 771-7370

CHIEF EXECUTIVE: MARTY CLARKE, PRES

* * * CUSTOMER SERVICE * * * ______________________________________

If you have questions about this report, please call our Customer Service Center at 1-800-234-3867 from anywhere within the U.S. If you are outside the U.S., contact your local D&B office.

*** Additional Decision Support Available ***

Additional D&B products, credit recommendations and specialized investigations are available to help you evaluate this company or its industry. Call Dun & Bradstreet's Solution Center at 1-800-362-3425 from anywhere within the U.S.

* * * SUMMARY ANALYSIS * * *

The Summary Analysis section reflects information in D&B's file as of August 28, 2000.

RATING SUMMARY

The absence of a Rating (--) indicates that the information available to D&B does not permit us to assign a Rating to this business. In this case, no Rating was assigned because of D&B's overall assessment of the company's financial, payment, and its historical information.

Below is an overview of the company's D&B Rating(s) since 05/09/95:

RATING

DATE APPLIED _____

05/09/95

_______ * * * PAYMENT SUMMARY * * *

The Payment Summary section reflects payment information in D&B's file as of the date of this report.

D&B has not received a sufficient sample of payment experiences to establish a PAYDEX score.

Below is an overview of the company's dollar-weighted payments, segmented by its suppliers' primary industries:

	TOTAL	TOTAL DOLLAR	LARGEST HIGH	% ₩/TN		DAYS S	SLOW	
	RCV'D	AMOUNTS	CREDIT		<31	31-60	61-90	91+
	#	\$	\$	8	8	8	ક	8
Total in D&B's file	2	2,750	2,500)				
Payment By Industry:								
1 Mechanical contract 2 Ret paint/wallpaper		2,500 250	·	50 50 100		- -	- -	-
Other Payment Categori	es:							
Cash experiences	0	0	()				
Payment record unknow	n 0	0	()				
Unfavorable comments Placed for collection	0	0	()				
with D&B	0	0						
other	0	N/A						

The highest "Now Owes" on file is \$1,000 The highest "Past Due" on file is \$50

D&B receives over 315 million payment experiences each year. We enter these new and updated experiences into D&B Reports as this information is received.

PAYMENTS (Amounts may be rounded to nearest figure in prescribed ranges)

Antic - Anticipated (Payments received prior to date of invoice)

Disc - Discounted (Payments received within trade discount period)

Ppt - Prompt (Payments received within terms granted)

REPORTED	PAYING	HIGH	NOW	PAST	SELLING	LAST SALE
	RECORD	CREDIT	OWES	DUE	TERMS	WITHIN
06/00	Ppt	250	250	-0 <i>-</i>	N15	1 Mo
08/99	Ppt-Slow 10	2500	1000	50		1 Mo

- * Payment experiences reflect how bills are met in relation to the terms granted. In some instances payment beyond terms can be the result of disputes over merchandise, skipped invoices etc.
- * Each experience shown represents a separate account reported by a supplier. Updated trade experiences replace those previously reported.

FINANCE

06/23/00 Sources contacted verified information on June 23, 2000.

HISTORY 06/23/00

MARTY CLARKE, PRES

DIRECTOR(S): THE OFFICER(S)

CORPORATE AND BUSINESS REGISTRATIONS REPORTED BY THE SECRETARY OF STATE OR OTHER OFFICIAL SOURCE AS OF 08/21/2000:

BUSINESS TYPE: Corporation - DATE INCORPORATED: 09/26/1967
Profit STATE OF INCORP: Ohio

AUTH SHARES-COMMON: 500

PAR VALUE-COMMON: No Par Value

Trade styles unregistered used for business purposes.

Business started 1954 by Thomas Clarke Sr, father of Marty Clark. Present control succeeded 1981. 100% of capital stock is owned by Marty Clarke.

MARTY CLARKE born 1949. 1970-1981 employed by father in subject. 1981-present active here.

OPERATION

06/23/00

Operates as refuse system (100%).

ADDITIONAL TELEPHONE NUMBER(S): Facsimile (Fax) 513 771-0529. Terms are net 30 days. Has 200+ account(s). Sells to commercial trade. Territory: Local.

EMPLOYEES: 5 which includes officer(s). FACILITIES: Owns 700 sq. ft. in a one story brick building.

LOCATION: Industrial section on well traveled street. 08-30(5XK /184) 99999 012184184

FULL DISPLAY COMPLETE

Clarke Container, Inc.

Clarke Container, Inc. ("Clarke Container") accepted hazardous substances for transport to the facility, arranged by contract, agreement, or otherwise for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of hazardous substances owned or possessed by Clarke Container at the facility. The materials Clarke Container is responsible for the disposal of at the facility included, but were not limited to, construction and demolition debris which typically contained aluminum, asphalt, brass, caulking compounds, electrical conduit, electrical contacts, fiberglass insulation, furnace controls, piping, and steel. The hazardous substances found in those materials included, but were not limited to, manganese, chromium, naphtha, phenols, nickel, benzo(a)anthracene, benzo(a)pyrene, chrysene, xylenes, lead, acetone, toluene, benzene, methylene chloride, bis(2-chloroethyl) ether, diethyl phthalate, vinyl chloride, cadmium, zinc, beryllium, and copper. Clarke Container is believed to be one of the main sources of waste materials at the facility, hauling materials containing hazardous substances to the Site from at least the 1950s up through the day the facility ceased operations. Hazardous substances of the same kind as those owned or possessed by Clarke Container were present at the Site.

SKINSER LANDFILL PRP GROUP

2030 Dow Center, Midland, Michigan 48674 December 2, 1996

Sherry Estes U.S. EPA - Region V 200 W. Adams Street Chicago, IL 60604 Junet Brown Mite's puralegal (517) 636-3989

SKINNER LANDFILL - PRP SEARCH - CLARKE ENTITIES

Dear Sherry:

I am writing to let you know some of the pertinent facts regarding the "Clarke entities" and their connections to the Skinner Landfill. At least from this preliminary review of the Group's files, it appears that the ADR notice letter should be addressed to Clarke Services, Inc. (in its own right as well as successor in interest to Clarke Container), Clarke Incinerator, Inc., Dick Clarke Trash Removal and Demolition, Clarke Santary Fill, Clarke Complete Collection, Dick Clarke (individually) and Marty Clarke (individually). We believe that the following serves as an adequate basis for this action. We are continuing our investigation into these entities and I will let you know of any further findings.

Clarke Container ("CC") - entity cited by various witnesses as using the Skinner landfill (e.g., Ray Skinner, Rodney Miller, Gene Crow, David Jividen, Mr. and Mrs. Charles Wallen, Floyd Green, Maria Skinner Roy). Dick Clarke stated in his interview that he purchased this business from his brother Marty in 1980 and continued the operations under the name "Clarke Services, Inc."

Clarke Services, Inc. - owned and operated by Dick Clarke and successor in interest to Clarke Container. Dick Clarke stated in his interview that he sold this business and his landfill operations in 1984 to BFI. Dick Clarke began hauling again in ~ 1989, after a non-compete clause in the BFI contract expired. It is not clear under what name he re-started his hauling operations, although it may be "Dick Clarke Trash Removal and Demolition." However, a log entry from the Skinner tax documents indicates that Clarke Services, Inc. did business with Skinner in 1987. Note that this would appear to indicate that Clarke continued the Clarke Services, Inc. entity even after the sale of his business(es) to BFI and during the alleged period of non-compete with BFI (i.e., 1984 - ~1989).

Clarke Sanitary Fill - this name appears in the Skinner logs in 1956 and 1963. This is also the entity that hauled Ford's cyanide ash to Skinner in 1964.

Encorporated 1967

Land of Strate

Can't find
- Stopped
filing tat

Letura
1966

SKINSER LANDFILL DRP GROUP

2030 Dow Center, Midland, Michigan 48674

A couple of other pertinent facts: (1) the Skinner logs list the addresses for Clarke Services, Inc., Clarke's Complete Collection and Clarke Sanitary Fill as 2040 Kemper Road, Sharonville, OH; and (2) in his interview, Dick Clarke stated that he was "financially set" and had been offered and turned down \$2.7 million for property he owned in West Chester.

If you have any other questions, or would like to discuss any of the above, let me know.

Sincerely,

Michael Kay

On Behalf of the Skinner Landfill PRP Group

(517) 636-7872

All Serve ces Certainer Company?
Marginet Clark incorporator?
2040 E. Kemper Rd.

Motive Clarke Container 11 Services

ABSTRACT

Deposition of Richard M. Clark 11/9/94 West Chester, Ohio Skinner Landfill Site

Questioning began with a discussion of Mr. Clark's business history. Mr. Clark hauled waste from demolition and construction sites during the 1970s and early 1980s. The Clark family operated a waste dump in the late 1950's, and then converted their operations to incineration in the early 1960s. Clark family incineration operations lasted through 1975. In 1975, the Clarks converted their incineration facility into a waste transfer station, and became involved in trucking and hauling. At the transfer station, the Clarks took in waste which they could reduce and compact (mostly municipal and department store waste). The Clark's business venture changed names a number of times. The transfer station was originally called Clark Sanitary Fill, and then was changed to Clark Services.

In 1980, Mr. Clark bought out the hauling business interest in the family business from his father, and added that business interest to his own hauling business which, as mentioned above, he started in the early 1970s. Mr. Clark named the business Clark Services. Clark Services was mainly involved in hauling containerized waste. Subsequently, in 1982, Mr. Clark bought the Stubsmill Landfill. To obtain the Stubsmill Landfill, Mr. Clark first bought out an operating partner and then bought out Corwin Fred, owner of Fred's Mushrooms (Fred's Mushrooms is no longer in

business). Before buying the <u>Stubsmill Landfill</u>, Mr. Clark had already been hauling waste there for his hauling business.

In 1983, when Mr. Clark had sold all of his business interests, <u>Clark Services</u> and the <u>Stubsmill Landfill</u>, to <u>BFI</u>, he entered into a restrictive covenant agreement not to compete with BFI for five years. In 1988, Mr. Clark went back into the waste hauling business, and called his company <u>Dick Clark Company</u>, later changing the name to <u>Clark Inc.</u> <u>Clark Inc.</u> was mostly involved in hauling waste from construction and demolitions sites.

When asked about his experience with the Skinner family and the Skinner site, Mr. Clark discussed that he went to school with various Skinner family members in Sharonville, Ohio. He knew Ray Skinner when he was a child, but otherwise he had little or no social contact with Ray, John, or Albert Skinner. In his professional relations with the Skinners, Mr. Clark emphasized that the Skinners were never his competitors in that they never hauled the type of waste that he did.

Mr. Clark emphasized that most of his waste, during the period when he operated his waste transfer business went to the Schlicter and Stubsmill landfills. Mr. Clark also hauled some of his waste to the FIDO (Fairfield Industrial Development Organization). However, when questioning turned to whether Mr. Clark had any recollection of documented dumping transactions between the Skinners and the Clark Sanitary Landfill or Clark Services, Inc. as logged by Elsa Skinner, he replied that he

might have dumped some waste at or hauled some waste from the Skinner site in 1987 or 1988.

Mr. Clark then mentioned that when he went to the Skinner site he had seen his competitors Whitton and King. When questioned about Companies that might have dumped at Skinner in 1956, Mr. Clark explained that the parties Mr. Breslin listed, including Carl Miller, Aeronca Manufacturing, Howard George, and others were mainly excavators involved in dumping dirt and gravel. When questioned again about a Skinner log entry involving Clark Sanitary Landfill and Tom Clark in 1963, Mr. Clark confirmed that his father likely bought metal from them in 1963. Next, Mr. Clark admitted that under a different company name, Clark's Complete Collection, one of his dumptrucks had made a trip to the Skinner Site.

Mr. Clark mentioned that his only main competitors were <u>BFI</u>, <u>Rumpke</u>, <u>Jim's Scrap</u>, and <u>Whitton</u>. Most of Mr. Clark's clients were industrial and commercial, including <u>General Electric</u> and <u>McDonald's</u>. Mostly, the waste he dealt with consisted of containers that could be compacted. Mr. Clark said he never sought to handle liquid waste, but explained that he could never be certain whether some of the containers he handled contained some liquid. At that point Mr. Clark decided not to go into any further discussion of the possibility that he handled liquid waste because he feared that his memory might not be sharp on specific instances of dumping liquids and he felt that he didn't know how to answer the questions.

Finally, when asked about <u>Chem-Dyne</u> dumping any liquid chemical waste at the Skinner site, Mr. Clark replied that he only knew of rumors implicating a Mr. Kovacs in connection with <u>Chem-Dyne</u>. Mr. Clark emphasized that there was a lot of talk in the community about a chemical storage tank operated by <u>Chem-Dyne</u> which might have been dumped at the Skinner site.

Generally, Mr. Breslin asked Mr. Clark whether he knew if various other companies had dumped or handled waste that went to or from the Skinner Site. Mr. Clark knew of none of these companies in connection with the Skinner site except for:

- 1. Coca-Cola
- 2. King Wrecking
- 3. O'Rourke Wrecking
- 4. <u>Drees Company</u>
- 5. Chem-Dyne
- 6. Mr. Clark mentioned that he had also hauled waste materials from Proctor and Gamble's Research and Development division and that it was rumored that some Proctor and Gamble waste also went to the Skinner Landfill.
- 7. Maxwell Trucking dumped soap and oil.
- 8. Rumpke dumped waste sludge.
- 9. <u>Dick's Trask</u>, and <u>Jennings</u> might have hauled to Skinner in the past 50 years.

ENVIRONMENTAL PROTECTION AGENCY IN THE MATTER OF: SKINNER LANDFILL SUPERFUND SITE Deposition of ELSA SKINNER MORGAN, a witness herein, taken by the Environmental Protection Agency as upon cross examination and pursuant to the Applicable Rules of Civil Procedure as to the time and place and stipulations hereinafter set forth, at the offices of the U.S. Attorney, 100 East Fifth Street, Cincinnati, Ohio at 1:30 p.m., on Monday, June 17, 1991, before Lorna J. Bergemeier, a Court Reporter and notary public within and for the State of Ohio.

1	rubbish.
2	Q. Okay.
3	A. Estes-Tri-State Excavating,
4	Incorporated. He's a builder and a contractor.
5	Box 490 West Chester, Ohio, 45069.
6	Dornbusch, D-o-r-n-b-u-s-c-h,
7	Construction, Incorporated also known as North
8	Hills Excavating and Contracting, demolition, 3918
9	Springdale Road, Cincinnati, Ohio, 45239.
10	Watson's, that's the swimming pool
11	people down there on Reading Road, 10725, Evendale,
12	Cincinnati, 45241. I think they tore down a
13	building.
14	Carey Homes. These are all
15	builders. 9200 Montgomery Road 12-A and 12-B
	builders. 9200 Montgomery Road 12-A and 12-B Cincinnati, Ohio, 45242. Builder, demolition, or
15 16 17	
16	Cincinnati, Ohio, 45242. Builder, demolition, or
16 17 18	Cincinnati, Ohio, 45242. Builder, demolition, or when they excavate a place it could be rock or fill
16 17 18 19	Cincinnati, Ohio, 45242. Builder, demolition, or when they excavate a place it could be rock or fill or anything they brought in. Stone.
16 17	Cincinnati, Ohio, 45242. Builder, demolition, or when they excavate a place it could be rock or fill or anything they brought in. Stone. Wayne Masonry, Incorporated, 375
16 17 18 19	Cincinnati, Ohio, 45242. Builder, demolition, or when they excavate a place it could be rock or fill or anything they brought in. Stone. Wayne Masonry, Incorporated, 375 North Washington Boulevard, Hamilton, Ohio, 45013.
16 17 18 19 20 21	Cincinnati, Ohio, 45242. Builder, demolition, or when they excavate a place it could be rock or fill or anything they brought in. Stone. Wayne Masonry, Incorporated, 375 North Washington Boulevard, Hamilton, Ohio, 45013. He usually brought in bricks and stuff he couldn't
16 17 18 19 20 21	Cincinnati, Ohio, 45242. Builder, demolition, or when they excavate a place it could be rock or fill or anything they brought in. Stone. Wayne Masonry, Incorporated, 375 North Washington Boulevard, Hamilton, Ohio, 45013. He usually brought in bricks and stuff he couldn't use, you know, like building bricks and cement and
16 17 18 19 20 21 22	Cincinnati, Ohio, 45242. Builder, demolition, or when they excavate a place it could be rock or fill or anything they brought in. Stone. Wayne Masonry, Incorporated, 375 North Washington Boulevard, Hamilton, Ohio, 45013. He usually brought in bricks and stuff he couldn't use, you know, like building bricks and cement and that.

CERTIFICATE

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3 | STATE OF OHIO

SS:

COUNTY OF MONTGOMERY

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I, Lorna J. Bergemeier the undersigned, a Court Reporter, and Notary Fublic within and for the State of Ohio, do hereby certify that before the giving of aforesaid deposition, the said ELSA SKINNER MORGAN, was by me first duly sworn to depose the truth; the whole truth, and nothing but the truth; that the foregoing is the deposition given at said time and place by the said ELSA SKINNER MORGAN; that the said deposition was taken in stenotypy by the court reporter and transcribed into typewriting under her supervision; that the transcribed deposition was not submitted to the witness for her examination and signature and that signature was expressly waived; the court reporter was neither a relative of nor attorney for any of the parties to the case, nor relative of nor employee for any of the counsel and has no interest whatever in the result of the action.

IN WITNESS WHEREOF, I herein set my hand and official seal of office this 20th day of June, 1991.

My commission expires January 6, 1992

Lorna J. Bergemeier Notary Public, State of Ohio

BRITTON & ASSOCIATES

["TON - (513) 228-3370 CINCINNATI - (513) 651-3370

ENVIRONMENTAL PROTECTION AGENCY

3 IN THE MATTER OF:

SKINNER LANDFILL SUPERFUND SITE

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Deposition of RAY SKINNER, a witness herein, taken by the Environmental Protection Agency as upon cross examination and pursuant to the Applicable Rules of Civil Procedure as to the time and place and stipulations hereinafter set forth, at the offices of the U.S. Attorney, 100 East Fifth Street, Cincinnati, Ohio at 3:00 p.m.. on Monday, June 17, 1991, before Lorna J. Bergemeier, a Court Reporter and notary public within and for the State of Ohio.

BRITTON & ASSOCIATES

DAYTON - (513) 228-3370 CINCINNATI - (513) 651-3370

truthfully, you got my word of honor. I'll tell you 1 2 everything I know because I'd like to get it over 3 and done with. Well, that's what we're trying to get 4 5 towards too. I'd just like to get everything hashed 6 Α. out to where I can run my life and --7 What about a, I believe you mentioned Q. 8 Clarke? 9 10 Α. Yes. Clarke hauled in there several 11 times. 12 Is that a person or a company? 13 A company. He did like dumpster boxes Α. 14 like King. 15 ۵. Dumpster boxes? 16 I think my mom might have it in the I don't know. 17 books. Did you ever personally talk to him? 18 19 Oh. I talked to him all the time. A. 20 When he was out on the site? Q. 21 Yes. He wanted to take over our place 22 and run it his way. And I told Mom, I said I don't 23 know, if you let some stranger run it, they could 24 bring all kinds of crap in on you and you're stuck with the responsibility. 25

CONFIDENTIAL INVESTIGATIVE MEMORANDUM

Interview, Ray Skinner:

On March 5, 9, 10 and 14, 1993, Ray Skinner, 8750 Cincinnati-Dayton Road, West Chester, Ohio 45069 (513)777-6501, mobile (513)535-5945, was interviewed.

After being advised that Orion Management International (OMI) had been retained to reconstruct the events and use of an area known as the Skinner Landfill, he provided the following information.

Skinner is approximately 50 years of age and is unable to read and write. As a child, he used to roam the site with his father, Albert Skinner. He entered the military shortly after high school and subsequently worked for the New York, Conrail and Penn Central Railroad System for 17 years.

He has resided on the Skinner property for the majority of his life, and started working the landfill exclusively during the midto-late 1980's after his brother, John, and their father had died.

Skinner advised that the dump site and the surrounding property had been in his family since the 1930's, and was initially a sand and gravel pit. His father began using the site as a dump in the 1950's, although area residents were permitted to openly dump their refuse at the site, prior to that time.

The site was operated exclusively by his father until the mid-tolate 1960's, at which time, John Skinner assisted his then semi-

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retired father. John Skinner ran the site until his death in the early 1980's.

Maria Skinner, Ray's sister, who also lives on the site, ran the dump for a short period of time until Ray took it over. Skinner advised that his mother handled the financials for the business and rarely, if ever, was on the dump itself.

Skinner stated that Lloyd Gregory also lived on the site and assisted Albert and John Skinner. He advised that Gregory was "scared off" by the EPA and left the area.

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CONFIDENTIAL INVESTIGATIVE MEMORANDUM

Interview, Ray Skinner (cont):

After the site was closed, Skinner advised that he hauled thousands of barrels, that were on and around the property, out of the area to a junk yard in Cincinnati. He stated that the majority of the barrels were placed on the site by **Champion Paper** and "newspaper companies", subsequently identified as the **Cincinnati Enquirer**.

He stated that these entities were also responsible for chemicals on the site, although he was unable to identify which chemicals, or how they were brought into the site and by whom.

Skinner advised that John Skinner dealt exclusively with **Chem-Dyne**, and he had no knowledge of their activities, other than to acknowledge they were on the site.

John Skinner hauled for numerous companies, primarily referring to demolition debris which was brought into the site. He was not certain which companies and stated there was no paperwork or contracts affiliated with these transactions.

The dump was operated basically on an "honor system", where haulers were permitted to go on site, primarily without the supervision of the Skinner family. They would advise the Skinner's of the amount dumped, referring to size of containers. He stated that he may have copies of driver's tickets, which were used for billing purposes, in storage somewhere on the property. He advised that he would attempt to locate them.

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Skinner identified the following PRPs:

Ford Motor Company, Sharonville
General Electric, Evendale
Leggatt Plat, Mason, Ohio (pallet company)
Stearns & Foster's, Reading, Ohio
Champion Paper, Cincinnati/Dayton
Hilton Davis (chemical plant behind the Cincinnati Gardens)
Chem-Dyne
Herbert Chemical
Planes Moving and Storage
Rowe Excavating

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CONFIDENTIAL INVESTIGATIVE MEMORANDUM

Interview, Ray Skinner (cont):

Whitton Hauling Mid-Atlantic

Avon

Coca-Cola

Pepsi

Dick and Marty Clarke

King Container (formerly King Wrecking)

CDI, Cleveland (operated by Joe Potter, who hauled demolition debris from Wright Patterson Air Force Base)

Leslie Townsley

Metco, Middletown, Ohio (possibly Mecco)

Gillis Construction, Reading, Ohio (owned by Jim Gillis)

Don McKarrow (owner of a large construction company)

Dick Jones, Cincinnati

Rowe Excavating

King Powder Company

Kings Mills

Frank Adams Scrap Company

American Laundry

Formica

Cincinnati Drum

Champion Paper

Cincinnati Enquirer

New York Central Railroad

Queen City Railroad

Tri-County Mall

Castonelli Square

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City of Evendale
City of Evendale
City of Blue Ash
Fisher Body, Norwood, Ohio
Lincoln Heights (Cincinnati suburb)
John Bushelman Construction
Moss Coen (junk yard operator in Cincinnati)
Ed Batey (owner of the construction company)
BFI
Ashley Ward Company
Union Schools

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CONFIDENTIAL INVESTIGATIVE MEMORANDUM

Interview, Ray Skinner (cont):

Procter & Gamble Durkee French Foods Lo Mar, Sharonville Trinity Industries (formerly known as Brighton) Redding Rock (cement company) Wright Patterson Air Force Base Continental Mineral Goodyear Firestone General Tire Dave Estes Construction Company Ralston-Purina Tri-County Roofing MVM Sales and Service Trumbull Construction Astro Containers Delco Air Thomas/Sysco Foods Dow Chemical Texaco West Chester Post Office Unidentified ink company (located next to Ohio Truck Parts) Unidentified oil company (near Cincinnati Gardens)

Leggatt Plat

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Previously identified by Skinner as "Liggen". He stated this company is located in Mason, Ohio and still in existence. This company hauled in wooden pallets on tractor trailer flat beds approximately once a week to once a month. He is not certain when they began using the Skinner site, but it was during the time he worked there exclusively, approximately 1986 through 1990.

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CONFIDENTIAL INVESTIGATIVE MEMORANDUM

Interview. Ray Skinner (cont):

Stearns & Foster

Located in either Lockland or Reading, Ohio. This is a mattress bedding firm, although Skinner was not certain what they hauled into the site. He recalled seeing **Stearns & Foster** trucks in and out of the dump before he started working there, and as early as when he was in grade school. He stated they used basic dump trucks and was not certain when they stopped using the site.

Mid-Atlantic

Owned by Marty Clarke, who currently has a recycling plant in Cincinnati. This company hauled in dumpster boxes, similar to those of **King Container**. They began utilizing the site when his father ran the landfill and stopped when it was closed. **Mid-Atlantic** had containers located at construction sites and demolition debris was brought into the dump. He also believed that **Mid-Atlantic** may have hauled for **Procter & Gamble** and **Avon**.

Coca-Cola

Located in Cincinnati. They hauled skids, dry-wall insulation and plastic pop containers, some of which contained the <code>Coca-Cola</code> products, several years prior to the dump being closed. The trucks were tractor trailers bearing the <code>Coca-Cola</code> logo, and utilized the site approximately twice per month, with four to five truck loads

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each time. He stated that Lloyd Gregory was also aware that Coca-Cola used this site.

Pepsi Cola

Skinner recalled seeing **Pepsi Cola** trucks on the site, but was not certain when they began hauling or when they stopped. His mother has records documenting that **Pepsi Cola** used the Skinner Landfill.

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Interview, Ray Skinner (cont):

Clarke Container

Owned by Dick Clarke in West Chester, Ohio. This company initially dealt with Albert Skinner in the 1950's and 1960's, hauling demolition debris into the site. This company was purchased by BFI and after expiration of a non-compete agreement, Clarke again entered into the hauling business and utilized the site until the day it was closed. He stated that Clarke Container used Mack rolloff trucks and hauled dumpster boxes filled with construction debris into the site on a daily basis. The only driver he knew from this company was Richard Clarke, who lives in the area and is employed by a different company. He is no longer employed by his father.

King Wrecking (now known as King Container)

Owned by Terry Bear and located on Cincinnati-Dayton Road, approximately three miles from the site. According to Skinner, **King Container** began using the site around the same time as **Clarke Container**. They hauled in demolition debris on roll-off trucks, approximately eight times a day, throughout the time the site was open.

Jim Gillis Construction

Hauled in demolition debris on tractor trailer trucks, but was not certain about the time period. Don McKarrow worked with *Gillis*

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Construction in hauling demolition debris. He stated that a large construction company known as Dick Jones, was also affiliated with Gillis and McKarrow, and hauled in demolition debris in dump trucks and tractor trailers. He referred to Dick Jones as "a money man", who is believed to have excessive financial resources.

New York Central, Conrail, Penn Central and Queen City Railroad

Skinner advised that the old **New York Central, Conrail, Penn Central and Queen City Railroad** systems hauled in numerous railroad ties during the 1950's and 1960's.

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Interview, Ray Skinner (cont):

Union Carbide (Marietta, Ohio)

Frank Adams and John Skinner hauled in approximately 100 oxygen tanks, "phenol" tanks, which were attached to tractor trailers, for *Union Carbide*. These tanks were cut up and salvaged, however, the insulation from the tanks, a white powdery substance known as "perlight" (phonetic), remained in the dump. This material was placed inside the dump starting in the 1960's or 1970's, and ceased when John Skinner died.

Marty Clarke

Hauled perfume into the site for **Avon**, but is not sure when this took place. There were numerous boxes of the perfume contained in small tubes.

Procter & Gamble (Cincinnati)

From the 1940's or 1950's, began hauling soaps and fabric softener into the site in 55-gallon drums, on a regular basis until the dump closed. He was uncertain who hauled for **Procter & Gamble**, but the trucks looked like "U-Haul vans".

Kings Powder Company

This company is no longer in business, but hauled explosive powder into the site during the period of time Albert Skinner ran the

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landfill. [NOTE: Subsequent interviews have indicated that Albert Skinner was once a supervisor with King Powder Company, prior to the operation of the landfill].

Chem-Dyne Corporation

This company utilized the site, but he was not certain what they placed in the landfill. He advised that his John Skinner had exclusive dealings with Chem-Dyne.

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Interview, Ray Skinner (cont):

American Laundry (Norwood, Ohio)

Hauled to the site and used their own trucks. He was not certain what they placed at the site. American Laundry dealt with Albert and John Skinner.

Armco Steel (Middletown)

Utilized the site, but he was not certain what they placed in it.

Ashley Ward Company

His recollection was that **King Container** hauled for **Ashley Ward Company**. Skinner showed OMI's representative a tanker, just outside the perimeter of the dump, which he stated contained floor tile glue.

AT&T (Cincinnati)

Hauled general scrap telephone parts to the site and used their own dump trucks.

BP (formerly known as SOHIO)

Skinner identified this company as hauling in tires, empty oil cans, general refuse and dirt, that surrounded underground storage tanks. He was not certain how many BP locations utilized the site.

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Leevies Ink (Cincinnati)

[NOTE: Mrs. Skinner's 1970 records listed Frank H. Levey Company, Division of Columbian Carbon Company, Inc., located at 630 Glendale-Melford Road, Cincinnati, Ohio]. Skinner advised that this entity hauled numerous barrels of ink into the site. He had taken photographs, which were given to the EPA, but not returned.

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Interview, Ray Skinner (cont):

Darlings (phonetic)

He identified a company as *Darlings* in Reading, Ohio, which makes dog food, the excess of which was dumped at the Skinner site.

Floyd Vickers Excavating

A demolition company in Trenton, Ohio, which according Skinner, had their own dump, but also hauled into Skinner Landfill.

Moore Battery (Port Union, Ohio)

Hauled old car batteries into the dump.

Planes Moving and Storage, Inc. (affiliated with United Van Lines)

Hauled old pallets and boxes into the site. Skinner was unable to provide any additional information.

U.S. Army

Skinner was advised by his father that the *U.S. Army* utilized the site in the 1940's. Ray Skinner believed such items as mustard gas and bombs, were located somewhere in the dump, although he was not certain where.

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As a child, he recalled his father setting up smaller bombs at a distance and shooting at them with a rifle in order to explode them. He also stated that he has both observed and maintained some old bomb casings, which were found on the site.

General Electric

In the 1950's and 1960's, *General Electric* brought in gasoline tankers, which were emptied into the lagoon area and set on fire. The tankers contained a liquid which looked like "white fingernail polish". Skinner stated that this substance was brought in "under guard", and no one but the Skinner's were allowed to be in the vicinity of the dumping.

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Interview, Ray Skinner (cont):

Skinner advised that after his brother and father died, he hauled numerous barrels from the landfill to a scrap yard in Cincinnati. These barrels contained tar, grease, oils and paint solvent believed to be from Fisher Body in Norwood, which is now a General Motors Plant.

He stated that he would be able to identify additional PRPs by driving around the City of Cincinnati. Because he did not exclusively work the site, he could not recall all names of places, but did have an idea of where refuse and debris originated.

Skinner explained one of the reasons he was not completely certain of what various companies dumped in the site, was because it was mainly operated by Albert and John Skinner. But, from living on the property, he recalled the various trucks previously identified as hauling into the dump.

The main hauling companies utilizing the site were King Container, Clarke Container and Whitton Hauling.

Although he knew several drivers by sight, the only one he knew by name was Bob Robertson, the son of Junior Robertson, who hauled for Chem-Dyne.

Skinner identified an individual he knew as "Rap", who was a driver for *Coca-Cola*, and was at the site extensively. He had no idea where this individual was, or his real name.

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He also identified Bruce Whitton as utilizing the site. Bruce Whitton also hauled for Chem-Dyne [NOTE: Subsequent investigation indicated that Bruce Whitton was partners with William Kovacs as owners of Chem-Dyne].

He was unable to identify any additional drivers.

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Interview, Ray Skinner (cont):

Skinner advised that his brother's ex-wife was Erlin Profit, and she may have information regarding John's activities with various companies in dealing with the landfill. He did not know how to contact her.

He stated that company representatives have visited him at his residence offering that they would "make it worth his while" to forget who used the site. Skinner advised that he was not aware of who these companies or representatives were.

Skinner suggested accompanying OMI's representative to the Gray Road Landfill and Heffners Landfill in the Cincinnati area in order to identify drivers for Whitton, King Container and Clarke Container.

He suggested contacting Rodney Miller for additional information. He did not know where Miller lived, but stated that Miller stored a vast amount of scrap near the site on the Skinner property and could potentially be located there during the day.

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Interview. David Jividen:

On March 19, 1993, David Jividen, 8064 Lawrence Drive, West Chester, Ohio 45069 (513)779-4189, was contacted and advised that Orion Management International (OMI) had been retained to reconstruct the events and use of an area known as the Skinner Landfill.

Jividen who is employed with Tape Products in Blue Ash, (513)489-8840, extension 291, is 30 years of age and lived with Lloyd Gregory at the site from 1986 through 1988.

He advised that he stripped salvaged parts and stored them on the Skinner property for resale and worked on equipment in exchange for a place to live. He was also responsible, approximately two to three times per week, for walking the dump and making sure haulers did not dump anything at the site they were not supposed to. Lloyd Gregory instructed him that haulers were only to dump demolition material and not take anything other than that.

Individuals he could recall at the site were Lloyd Gregory, Dexter Gregory, Ray Skinner and an individual he referred to as "Scotty", who worked on machinery, but was not at the dump site. He stated Scotty was in his late 40's or 50's, and he had no idea of where this individual could be reached. He also recalled Rodney Miller at the site extensively.

Jividen stated that Elsa Skinner-Morgan's husband, David Morgan, would occasionally check trucks going into the dump by conversing

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with the drivers and looking into the top of the trucks to see what it contained. [NOTE: David Morgan has previously denied any activity or involvement with the dump in any way].

King Container utilized the site more than anyone else. He stated they would have approximately five to ten trucks per day, with 30 to 40 yard containers, and sometimes larger, hauling primarily demolition debris. Occasionally, King Container and the other hauling companies, Rumpke, Clarke and Whitton, brought in 55-gallon drums underneath the construction debris. He stated some of the drums were empty, however, some were full and he did not know what was in the drums.

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Interview, David Jividen (cont):

Crow stated that on days he worked on machinery, he would observe **King**, **Rumpke**, **Clarke and Whitton** travel up to the dump site unsupervised. Once they left, he would go on site and note drums and other items, such as plastic bags, filled with "unknown" material, in and around the construction debris.

He identified a hauling company known as *Lilly's* (phonetic), which handled metal, rock, and basic demolition debris, in 30-yard containers. He was not certain where the company was located.

He also stated there was a small company in Bethany, Ohio, that brought in drywall on flat bed trucks.

[NOTE: Lloyd Gregory had identified Jividen as the individual who would be most knowledgeable of truck drivers who worked for various hauling companies]. Jividen advised that he usually did not converse with the drivers, as he was "somewhat of a shy individual". He added that Lloyd Gregory had the most contact with the drivers and often conversed with them.

Rumpke Hauling Company operated brown trucks and brought in scrap iron, and on occasion, a couple of barrels. He stated that when they did bring in barrels, they would be in and out in a hurry. Rumpke had three to four trucks at a time at the dump, on an average of once or twice a week. But, then on other occasions he would not see them for a month.

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Clarke Container was at the site daily with 30 to 40 yard containers of demolition debris from torn down sites. Clarke would have six to ten trucks at the site emptying debris every day.

Whitton Hauling utilized the site as often as Clarke Container, with two to five trucks per day.

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Interview, David Jividen (cont):

Jividen actually saw a Coca-Cola truck only once on the property, but often observed Coca-Cola products on site. In one particular instance, he recalled they dumped a great deal of their plastic bags, some of which were full of containers. He stated they normally dumped glass, plastic containers and wooden crates, all of which had their logo on it.

He also identified **Pepsi Cola** as a contributor to the site, dumping the same type of waste as **Coca-Cola**. He added that they were there, but not often.

BFI utilized the site, but not as frequently as the other main haulers. He stated that they would come in five to six times a day for a week, then not be back for a month. They brought in demolition debris in 30 to 40 yard containers.

He recalled observing at least ten *Cincinnati Enquirer* metal machines, which are utilized to hold newspapers, on the site. He also remembered several bundles of newspapers at the site.

He identified **Dow Chemical** trucks at the site, but could not recall what they brought in, and stated that he only saw them once or twice.

General Electric hauled in electrical products such as light switches which were still in boxes. He stated General Electric also

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dumped electric fan motors on the premises and that the items he saw from *General Electric* would fill a 30-yard container.

International Paper Corp. dumped cardboard boxes, wood and skids at the site. He stated they had their own trucks, which were the size of semi's, but would be there very seldom.

Jividen recalled **Procter & Gamble** products on the premises, but he was not certain who hauled it into the site. He stated that there was less than a 30-yard container full at the site "every once in a while" filled with full boxes of soap and soap samples in both large and small boxes.

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Interview. David Jividen (cont):

He identified **Planes Moving and Storage**, who would utilize their own semi's "once in a great while", to dump full semi-loads of skids at the site.

Thomas/Sysco Foods utilized their own semi's full of wood skids, which were disposed of at Skinner.

Valley Asphalt utilized the site two to three times per month. They had smaller trucks similar to dump trucks, but he was not certain what they brought in.

Jividen would walk the site, but did not like doing it at night. He explained that at night, he would see red spots underneath the ground and observe smoke, as if something was on fire.

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Interview, Rodney Miller:

On March 10, 1993, Rodney Miller, P.O. 1096, West Chester, Ohio, 45069, was contacted and advised that Orion Management International (OMI) had been retained to reconstruct the events and use of an area known as the Skinner Landfill.

During interviews with Ray Skinner, the name of Rodney Miller was mentioned as an individual who may have information regarding PRPs utilizing the Skinner Landfill. [NOTE: Although Skinner stated in his interview that he did not know where Rodney Miller lived, Miller's trailer is located approximately 100 to 200 yards from the entrance to the Skinner Landfill].

Miller stated that he had been storing salvaged material and living on the site since 1978, and pays Elsa Skinner-Morgan \$300 per month for the use of their area.

He advised that John and Ray Skinner were Albert's son from his first marriage, and Ray and Maria are Elsa Skinner's children.

According to Miller, Albert Skinner went into retirement in the late 1970's, was moved into a rest home where he died in the early to mid-1980's. John Skinner was killed prior to Albert's death, and Albert was never advised of John's demise.

He stated that all money, contracts and decisions regarding the site were made by Elsa Skinner, and John and Albert Skinner primarily worked the dump.

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Miller advised that on numerous occasions, he observed tractor trailers with 30 yard "unmarked" containers on the Skinner site. He also recalled several "midnight runs" during the time John Skinner operated the site. He explained that John Skinner was a very intimidating man and Miller did not interfere.

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Interview, Rodney Miller (cont):

In his opinion, *King Container* was the largest contributor to the Skinner Landfill. He believed that they hauled for *General Electric*, hauling primarily construction debris and commercial electrical equipment. He stated their trucks were black and red, utilizing 20, 30 and 40 yard roll-off boxes containing "a little bit of everything". He estimated *King Container* utilized the site four to five times per day (22-25 loads per day), Monday through Friday.

Dick Clarke, owner of Clarke Container in West Chester, Ohio, utilized trucks with 20 to 30 yard roll-off boxes and hauled into the Skinner site on a regular basis. Clarke Container hauled "everything", including construction debris, tree stumps and empty barrels. Miller did not know what the barrels previously contained, but stated that Clarke had industrial contracts.

Clarke Container hauled into the site prior to his arrival in 1978, and continued to do so until the dump was closed. He stated that Dick Clarke handled the construction debris from a \$100,000,000 renovation of the Tri-County Mall located in Springdale, Ohio, and the debris was deposited in the Skinner dump.

He also knew that *Clarke Container* had boxes at various hospitals around the Cincinnati area, and recalled Ray Skinner complaining about hospital/medial waste at the site.

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BFI purchased Clarke Container and at the conclusion of the non-compete, Dick Clarke opened his hauling business again.

Carlisle Construction located in Wilder, Kentucky and three of their subsidiary companies, which Miller did know the names of, hauled 40-yard boxes into the Skinner site primarily containing construction debris.

He stated that an extremely large complex of townhouses known as Canterbury Gardens were torn down in Reading, Ohio, the site of which was handled by *Carlisle Construction* and the debris was deposited in Skinner. To his recollection, the trucks were red with black and/or white letters.

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Interview, Rodney Miller (cont):

Jim Gillis and Company in Middletown, Ohio, also hauled the Canterbury Gardens with Carlisle Construction. Miller stated that Gillis was in the demolition business years ago and is currently involved in heavy scrap metal. Gillis began hauling into Skinner around 1985, and continued until one year before the dump was closed.

He stated *Gillis's* primary driver was John Gillis, who is now deceased. Trucks operated by *Gillis and Company* were white cabs and red body dump trailers, with a 40-yard box and straight single axle dump truck.

Miller identified *Dick Jones*, a company located on Glendale-Milford Road, Camp Dennison, Ohio, who worked in affiliation with *Jim Gillis*. Both of these companies were associated with *Mecco, Inc.*, which is a diversified construction company, manufacturer, and concrete hauler.

Dick Jones and Gillis had contracts together with factories (which he was unable to identify), who also did work with Armco Steel, but he is not certain if Armco Steel utilized Skinner.

He stated the majority of refuse placed in the site by *Dick Jones* and *Mecco* was construction debris. To his recollection, *Mecco* utilized standard dump trucks with 15 to 18 yard gravel bodies/boxes.

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[NOTE: Investigation has indicated that there was a chemical company, located behind the Cincinnati Gardens, which utilized the Skinner Landfill. Mill identified this company as Hilton Davis Chemical Company].

Hilton Davis Chemical Company, located on Langden Farm Road, Cincinnati, Ohio, manufactured ink. He recalled John Skinner stating they were a customer of the landfill. To his knowledge, Hilton Davis hauled an undetermined amount of barrels into the landfill with tractor trailer trucks belonging to either Chem-Dyne or Hilton Davis.

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Interview, Rodney Miller (cont):

Miller stated that a company known as Philip Carey Roofing Company, hauled debris and roofing supplies into the landfill during the 1940's and 1950's. This company was purchased by the Jim Walter's Company, who he referred to as a "big dollar guy" who buys and sells companies. He was not certain if there was a name change or purchase transaction, but the company is now known as Celotex Corporation, located on Wayne Avenue, Lockland, Ohio.

He stated the combination of these three companies hauled numerous barrels of tar into Skinner, which he observed himself and Ray Skinner also advised him. The barrels were older and well rusted, and the tar was in a solid form. He observed at least 50 to 100 barrels from this company at the Skinner site.

Miller identified a company he knew as **Steel Craft** in Blue Ash, Ohio, which may now be known by another name and located on Cross-County Highway off 75 South in Cincinnati. He stated this company was "big on barrels" and that both John and Ray Skinner told him this entity utilized the site. They did not have their own trucks and the work was contracted to a hauler.

He believed the barrels were hauled into the lagoon until the lagoon was identified by EPA. He stated that when the Skinner's covered up the lagoon, they covered up barrels from **Steel Craft** as well.

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Herbert Chemical located on Vine Street in either Elmwood or St. Bernard, Ohio, near Procter & Gamble, hauled into the Skinner site. He stated John Skinner utilized a dump truck and had an agreement/contract with this entity, but he was not certain what they hauled into the site. It was his opinion, that Herbert Chemical hauled primarily construction debris, but not on a regular basis.

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Interview, Rodney Miller (cont):

Miller stated that Albert Skinner did business with *Queen City* Railroad in Sharonville, Ohio, and this entity utilized the site. He was not certain what they placed at the dump.

Newberry Railroad was a frequent user of the Skinner dump, depositing "thousands" of railroad ties into the site with their own vehicles, he recalled were red in color.

John F. Bushelman Construction, located on Haulk Road, Sharonville, Ohio, dumped industrial brick, stone and wood into the site for numerous years, as John Bushelman was a friend of Albert Skinner.

Miller stated that Bushelman Construction worked in conjunction with MVM Sales and Service, who installed service stations. MVM, which is located next to John Bushelman Construction, hauled several gasoline storage tanks into the dump, but according to Miller, Ray Skinner hauled the storage tanks away from the dump.

MVM Sales and Service, located on Haulk Road, Sharonville, Ohio, builds, tears down and remodels gas stations, and works in conjunction with John Bushelman. He believed MVM Sales and Service had done work for Shell Oil Company and Sunoco, and hauled their debris into the Skinner site. He was not certain how they disposed of underground gasoline storage tanks. MVM Sales and Service hauled into the Skinner site at least once per week, since 1978 or 1979.

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Ed Batey was an individual hauler located on Western Row Road and Route 42, Mason, Ohio. Miller stated that Ray and/or John Skinner hauled demolition material for Batey into the site. Ed Batey and John Skinner were very good friends. He suggested that Ed Batey may have additional information regarding the site.

There was a military base located in, what now is called, *Micro Center Mall* in the Sharonville area. According to Miller, this base was torn down and the debris was hauled by *Jim Gillis* into the Skinner dump.

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Interview, Rodney Miller (cont):

Dave Estes Construction Company contracted with Ray Skinner to haul brush and construction debris into the site. He also stated that Estes had his own dump trucks which also frequented the site. Dave Estes is believed to be retired and the operation is now run by his son.

Thomas/Sysco Foods in Evendale, Ohio, was renovated in the mid-1980's, and Miller believed John Bushelman Company hauled the renovation/construction debris, including everything from insulation to concrete blocks, into the Skinner site.

He stated that Ray Skinner hauled the debris from the old post office, and new building, in West Chester, near the entrance to the Skinner dump, into the landfill.

Acme Wrecking Company in Cincinnati, Ohio, hauled demolition debris in 30 to 40 yard dump trucks, on an average of once per month into the site. He stated Acme Wrecking would not be in the site for six months at a time, and then would show up four to five times in one day over the next six months.

Coca-Cola in either Cincinnati or Hamilton, Ohio, utilized the Skinner site, depositing wood pallets and wood boxes that held 24 bottles. They used their own tractor trailer trucks, which would hold approximately 60 yards. He recalled Coca-Cola in the dump the last three or four years that it was open, and estimated they utilized it once every two months.

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Miller stated the City of Deer Park, City of Silverton and the City of Maderia hauled into the site during the 1950's and 1960's. He identified a Mrs. Spalding as the owner of a hauling company that hauled for these cities, and believed Mr. Spalding was deceased.

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Interview. Rodney Miller (cont):

The Ford Motor Company on Moster Road on Sharonville, Ohio, hauled approximately 1,000 pound loads of torn up concrete floors in six to eight foot slabs of concrete. These were dumped into the lagoon area near the time the dump was closed. He stated they also hauled in wood blocks from flooring. He did not observe the Ford Motor Company trucks, but when the debris came into the site, Ray Skinner told him that this debris came from Ford.

Miller stated Dick Clarke and King Container, both hauled for General Electric in Evendale, and that Clarke and King had trucks continuously into the Skinner dump. General Electric dumped general clean-up materials as well as wood, cardboard and copper pipe. He thought they were at the site two to three times per week with 30-yard containers.

Procter & Gamble in the Cincinnati/Evendale area, used Skinner Landfill, but he was not sure what they dumped. Acme Wrecking was one of their haulers and was owned by the "Smith" family, who were friends with John Skinner. He recalled seeing Acme in the Skinner Landfill from the mid-1970's, until they closed. He believed that Rumpke Hauling Company is now hauling for Procter & Gamble, and he has observed Rumpke at the site on at least ten occasions.

He observed **Acme's** trucks and believed the information came from Ray to Procter and Gamble's materials were within approximately 10 times or possibly more at the Skinner dump.

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He believed that General Motors Corp. in Norwood, Ohio, utilized the site, but he never personally saw their vehicles there.

CDI out of Cleveland, was operated by Joe Porter, who was a friend of John Skinner's. CDI did a lot of demolition work for Wright Patterson, and the debris was hauled into Skinner.

John Skinner hauled demolition debris from National Cash Register (NCR) in Dayton, into the landfill. He was not certain how often this occurred or how much they deposited.

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Interview, Rodney Miller (cont):

Miller was initially hesitant to discuss his knowledge of **Chem-Dyne's** utilization of the Skinner site. He began to tell of an occasion when he, John and Ray Skinner, and an individual (identified as Roger "last name believed to be Ludwig"), traveled to Seymour, Indiana to a **Chem-Dyne** "barrel farm". He stated these barrels were filled with chemicals, and as he was about to explain what was done with them, he suddenly discontinued the story.

He did state that in this particular instance, the barrels were not taken to Skinner. He added that very few individuals knew John Skinner's affiliation with **Chem-Dyne**, however, he was aware that the majority of **Chem-Dyne's** work conducted by John Skinner, was done at night. He advised that Ray Skinner knew the owner of **Chem-Dyne**.

Miller provided the name of Darrell Williams, an independent hauler who was good friends with John Skinner and the Skinner family. He suggested that Williams and would have knowledge of what was dumped into the lagoon located on the Skinner property, if he "chose to talk".

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Interview, Dexter W. Gregory:

On February 19 and 22, 1993, Dexter W. Gregory, 7081 Fourth Street, Maude, Ohio (513)422-8718, was contacted and advised that Orion Management International (OMI) had been retained to reconstruct the events and use of an area known as the Skinner Landfill. The above address is that of Gregory's sister, where he can usually be located. His home telephone number in Middletown, Ohio is (513)422-8718.

Gregory is 38 years of age and is presently unemployed. He stated that his usual occupation was installing footers and foundations for residential buildings.

He advised that he used to visit the Skinner Landfill when he was a young teenager, because his brother, Lloyd, lived and worked on the site.

His first involvement with the landfill was in the late 1970's, when he worked with John Skinner who was engaged in the demolition of a building belonging to **National Cash Register Corporation** (NCR), located in Dayton, Ohio. He assisted in the demolition of this building and the waste was hauled to the Skinner Landfill.

From the beginning of 1987 to mid-1990, he worked full time at the Skinner Landfill site, as an equipment operator. His duties were driving a pickup truck and spreading and pushing debris dumped at the site into a specific location. Additional duties were to spread soil over the debris which was brought to the site.

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During the period of time he was employed at the site, his normal work day was from 5 a.m. or 6 a.m. until about 11 p.m. He stated that he was paid with money only on about two occasions during the three and a half years he worked there.

The normal procedure for compensation was to allow him to conduct salvaging of materials deposited at the site. He would salvage all of the copper and aluminum he could from the debris. When this material was sold, he received one-quarter of the proceeds, Skinner received one-half, and another individual involved in the salvaging

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Interview, Dexter W. Gregory (cont):

operation would receive one-quarter of all monies received from the sale of salvaged metals.

During the period of time he worked on the Skinner Landfill, Gregory considered Ray Skinner to be his supervisor. He related that he realized he was performing work on behalf of all of the Skinner family, but indicated that Ray Skinner was primarily responsible for the operation of the site.

Gregory was asked to identify the haulers or transporters of waste deposited at the site. He indicated that the main company involved in transportation of waste to the Skinner Landfill site was **King Hauling Company**. He stated that they hauled roll-off type containers, usually containing 30 to 40 yards of waste. During the period of his employment, **King** would normally dump 30 to 55 truck loads of waste, and believed that they always had three to four trucks at the site.

He remembered occasions when they had 30 to 40 trucks lined up along the road, waiting for their turn to enter and deposit their roll-off carriers at the site. Gregory stated that **King** would frequently keep roll-off containers parked on the site, so if the site became too busy, they could leave a full container replacing it with an empty one, and return back out to their routes to pick up further debris. He believed that **King Hauling Company** may have deposited 60% of the debris in the Skinner Landfill.

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He thought that King Hauling Company hauled extensively from the General Electric plants located in the area, the Chem-Dyne plant, and from the Ford Motor Company plant located near the landfill.

Gregory believed that most of the hazardous waste deposited at the Skinner Landfill was placed there by **King Hauling Company** vehicles. Gregory was asked if he could describe the debris placed there by haulers operating for **King Hauling Company**. He stated that the drivers would normally bring in containers that appeared to be "ok", in that all you would see would be wood, plasterboard and glass lying on the top of the container.

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Interview, Dexter W. Gregory (cont):

Gregory stated that sometimes when he was pushing this debris with his bulldozer to a suitable position in the landfill, he would discover that there were numerous drums contained in the debris. He related that **King** debris frequently had 30-gallon drums and each drum would contain approximately 25 absorbent pillows. These pillows were used to clean up spills of hazardous material. He believed that most of these pillow-type devices were used to clean up sludge that had been spilled at **General Blectric**.

Another hauling company identified by Gregory was Rumpke Hauling Company. On a normal work day, Rumpke drivers would dump approximately three to four roll-offs at the Skinner Landfill. He indicated that when Rumpke operators visited the site, they always appeared to be in a hurry. He thought the reason for hurrying in disposing of their waste loads, was that they were dumping things there that they were not authorized to.

He advised that Rumpke owned its own landfill not too far from the Skinner Landfill. He believed that Rumpke would dump barrels and other unwanted debris at the Skinner Landfill, rather than depositing it in their own.

Gregory identified a company he referred to as "Mecro", headquartered in Sharonville, Ohio, was a frequent user of the Skinner Landfill. This company hauled in a large amount of glass, rubber and barrels. He remembered that their trucks were orange and white and that they frequented the site on a regular basis. He was

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unable to identify the source of the barrels that were dumped there by "Mecro", but related that they came in several sizes, starting at small 25 to 30-gallon drums up to 55-gallon drums.

Maddox Hauling frequently utilized the Skinner Landfill and appeared to be engaged in the demolition business. He stated they normally used large tandem dump trucks to bring loads to the site. An inspection of the waste deposited by Maddox usually contained demolition debris from houses or commercial buildings.

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Interview, Dexter W. Gregory (cont):

Gregory did recall that **Maddox Hauling** was responsible for depositing large amounts of asbestos at the site. He stated this material would have been used as insulation on numerous items brought as part of the demolition debris. He remembered this because he frequently salvaged copper that had been heavily wrapped in asbestos from material deposited by **Maddox**. Gregory believed that **Maddox Hauling** is located and headquartered in Cincinnati, Ohio.

Mid American Waste Company used the Skinner Landfill on a regular basis, and deposited a lot of wood, including some large wood crates. Mid American trucks frequently contained large amounts of broken glass or pieces of rubber (which reminded him of a product used around the windows of an automobile). He was not sure where the materials were generated from that were deposited by Mid American.

Whitton Trucking used large semi-tractor trailer aluminum dump trucks and deposited large amounts of demolition debris at the site.

There were other companies who utilized the landfill, but Gregory could not recall their names. There was one company that deposited large amounts of drywall and other building debris. He advised that one of the truck belonging to this company remains on the site and is parked near the big tank.

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He indicated that there were numerous barrels placed in the landfill that were generated at the *Chem-Dyne* plant, who was in the business of hauling, storing and transferring waste products.

He stated that at the time he started working at the site, both sides of the landfill were filled in, creating a valley in the middle. In the approximate center of the landfill, there are hundreds of barrels with labels identifying them as coming from Chem-Dyne. He was aware that these barrels frequently were not empty as they were supposed to be.

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Interview, Dexter W. Gregory (cont):

Gregory explained that the barrels would sometimes burst open when he ran over them with the bulldozer. The busted barrels containing the Chem-Dyne label, had a green substance similar to antifreeze leaking out of them. There were also acid based systems that would start to smoke and bubble when they made contact with the ground. He stated that a lot of the Chem-Dyne barrels contained different types of greases and inks, and there were numerous colors of ink, including red, green and blue, deposited within the site. He stated that most of the material from Chem-Dyne was transported there by either King Hauling Company or Rumpke Hauling Company.

Gregory indicated that the barrels included 55-gallon and 30-gallon drums, and half-cut drums, which he explained were 55-gallon drums cut in half and then sealed.

He indicated that *Coca-Cola Bottling Company* also deposited considerable amounts of waste at the landfill. They would often bring semi-trucks full of bottled and canned soft drinks. He stated that there did not appear to be anything wrong with the merchandise they deposited there. He believed the reason *Coca-Cola* disposed of soft drinks at the site, was because one can or bottle would break in a case and they could produce another case less expensively than they could clean them up.

He stated that he salvaged a lot of the pop products thrown away at the Skinner Landfill. Gregory estimated that trucks from Coca-Cola

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Bottling Company made one or two trips per month to the Skinner Landfill.

He recalled there were also soft drinks identified as Seven-Up and Tahitian Treat, which was the product of another bottling company. He could not remember who hauled these products to the site.

There was a company by the name of **Pennington**, which was involved in the plumbing business, and frequently used the site. They hauled in their own tandem dump truck vehicles. He could not recall the names of any of the specific drivers hauling for **Pennington**, but did remember that they had a blonde female driver.

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Interview, Dexter W. Gregory (cont):

Gregory stated that *Clark Hauling* used large green dumpsters, which frequently contained garbage that Skinner Landfill was not authorized to accept. The garbage contained in the dumpsters would be mixed in with other debris and sometimes it would be impossible to catch the drivers in the act of dumping this refuse. Therefore, the garbage was buried on the site.

Hamilton Hauling Company frequently dumped large loads of garbage at Skinner Landfill. He advised that they were dumping there when he first started working at the site. He indicated that one of the Skinner's banned Hamilton from utilizing the landfill because they did not haul acceptable waste to the site.

Gregory was asked if he could identify an operator by the name of "Harold", who frequented the site possibly in his own trucks. Harold was described as having long hair and being of thin build. Gregory did remember this individual and stated that he operated his own large, white dump truck, which was always kept in very good condition. He could not recall Harold's last name, but believed that he lived in Fairfield, Ohio. He further indicated that Harold may have been responsible for bringing several loads of waste from Coca-Cola to the site.

He suggested that Dean and Marie Roy could possibly have extensive knowledge relating to the site. Marie is the daughter of Albert and Elsa Skinner. He indicated that Dean and Marie would often deal

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with vehicles entering the site, especially at times when Mrs. Skinner was not present.

Gregory advised that David Givenden lived on Fourth Street, Maude, Ohio, and was presently employed at Tape Products of Blue Ash, Ohio, would also have extensive knowledge regarding the site. He stated that Givenden worked at the site for a few years longer than he had, and should have good recollection of individuals who worked there. Givenden frequently engaged in long conversations with the truck drivers and may be able to identify some of them.

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Interview, Dexter W. Gregory (cont):

Gregory quit working at the site because he believed he had lost his sense of smell and taste due to the chemicals on the premises. He stated that buried under the fill on the site were numerous containers of chemicals that, when busted open, immediately started heating and generating smoke and bubbles.

He recalled that at night you could often see the red glow generated from heat coming up through certain crevices in the ground. He believed there were large pockets of methane gas within the landfill site that could explode very easily. He would not want to be anywhere near the site if someone was going to do any digging as it would most likely cause a large explosion.

Gregory stated that General Motors and Fisher Bodies utilized the landfill. Most of their material was broken car windows and was transported by "Meckro Hauling", but they also hauled in a few barrels of waste generated at General Motors. He could not identify any of the drivers who frequented the site as employees of "Meckro Hauling".

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SKINNER LANDFILL PRP GROUP

Interview of Mrs. Elsa Skinner-Morgan February 10, 1993

at the law firm of

Holbrook, Jonson, Evans & Olivas 315 S. Monument Ave Hamilton, Ohio 45012

In Attendance

For	the	PRP Group:	Charles R. Dyas, Jr., Esq. Robin Couch, Esq. Don Sonney	(CRD (RC) (DS)
For	Mrs.	Skinner-Mo	rgan: Timothy Evans, Esq. Mrs. Elsa Skinner-Morgan Mr. James Morgan	(TE) (ES) (JM)

(Transcript of Tape Recorded Interview)

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Legal Department

- E.S. No.
- J.M. Mt. Orab area, way in the country.
- C.R.D. You moved over once you got married?
- E.S. Yeah, to my house. He worked in Genoa, that's where I met him. Cincinnati Concrete Pipe.
- D.S. I want to start talking a little bit about the types of companies that come in there, and I'd like to divide it a little bit into two types of companies. There are companies that I call hauling companies that would go around to industries and stuff and collect the pick-up, and then there's companies, you know that actually manufacture that have their own transportation and stuff that could bring stuff out to your site. Let's talk about hauling companies first. Do you know, what hauling companies used your site that you remember?
 - E.S. You mean that picked up this --
- D.S. Yeah, that went around, had regular routes and ended up out at your site?
 - E.S. Well, there was King --
 - D.S. Okay.
 - E.S. Um, Whitten --
 - D.S. Okay.
- E.S. Clarke, C-1-a-r-k-e, uh, those are the three big ones.
- D.S. Those are the three big ones? When you were operating the site or when Albert was operating, were there, Rumpke is around this area, correct?
 - E.S. Yes.
 - D.S. BFIs around this area?
 - E.S. Yeah. Rumpke got most of the business.
 - D.S. Okay.
 - E.S. BFI's just lately.
 - D.S. Just lately?
 - E.S. Yeah. Compared to when we were.

- E.S. It was when I ran it.
- C.R.D. And what about Clarke?
- E.S. Same.
- C.R.D. Demolition?
- E.S. Yeah. Waste too, I think.
- C.R.D. And waste?
- E.S. Um hum.
- C.R.D. And this was during the same time period --
- E.S. He did pickups too, you know.
- C.R.D. During the time you ran it?
- E.S. And before.
- C.R.D. Clarke was before?
- E.S. Oh, yeah. All those years.
- C.R.D. Was Whitten before that?
- E.S. No, Whitten was afterwards, he was one of the last ones.
 - C.R.D. And King?
 - E.S. He and King was one of the last ones.
 - C.R.D. King --
 - E.S. King Container.
 - C.R.D. King Wrecking or King Container.
- E.S. King Container. Wrecking too. It was known as Wrecking first, then they parted some of it off and called it container, and I had to bill Containers instead of the wrecking. I first would bill King Wrecking.
- D.S. You did quite a bit of billing, I think we were looking through, and we got about 99 companies, probably at one time or another, you billed, uh, like Acme Wrecking Company, do you remember that one? What did they haul?
 - E.S. Uh hum, that was short lived, they didn't come to --

- E.S. They never hauled anything I know of, now Clark is part of that so he probably did.
 - D.S. They bought Clark?
 - E.S. Clark is BFI too.
 - D.S. Okay.
 - E.S. So he probably --
 - D.S. Okay.
- E.S. When he hauled in there who knows. Now he has his place right in West Chester there.
 - D.S. Okay.
 - E.S. He has a BF sign (INAUDIBLE)
 - D.S. Dick Clark is that his name?
 - E.S. Yeah.
 - R.C. -- He also runs an air (INAUDIBLE)
- D.S. Oh yeah, of course that is the first thing I thought of when I read it.
 - E.S. More laughter, he stayed young looking didn't he.
 - R.C. -- Oh yeah.
 - E.S. Up till now anyway.
 - R.C. -- Amazing.
 - D.S. Amazing surgery probably.
 - E.S. Laughter. He says not.
- D.S. Yeah, I know. Borden, Incorporated, do you remember Borden being out there?
 - E.S. Not really.
 - D.S. Alright, how about Butler Manufacturing?
 - E.S. Yeah. That was mostly wood in the old days.
- D.S. Mostly wood in the old days, what do they make, do you know.

- D.S. Right. And anything specific you remember about it. Cincinnati Industrial Machinery Company. Does that one ring a bell?
- E.S. That was probably old parts and stuff. But that wasn't often neither.
- D.S. And you say Clarks, he was in there quite a bit, huh?
 - E.S. Yeah. Even when I ran it.
 - D.S. And do you know what all he handled, what type --
- E.S. No. It was always covered up. But I told him I only took demolition when I ran it. Before that he'd haul anything in there. Anything and everything.
- D.S. Did he come -- when Albert was there? He hauled anything and everything in there?
 - E.S. Sure.
 - D.S. Did he have all dump trucks, do you remember, Clark?
 - E.S. Yes. Pretty big dump trucks.
 - D.S. Just one that you remember being out there?
 - E.S. No, he had several trucks and drivers.
- D.S. Did you get many of the rolloff trucks or compactors coming in there?
 - E.S. None.
- D.S. Oh, really, you don't remember any rolloffs or compactors ever being in there.
- E.S. No, well yeah. Roll offs -- what do you mean by roll offs? They could take the end off and leave it there?
 - D.S. Yeah.
- E.S. Kings Mills and I mean King Container, they're dumpsters. We call them dumpsters. Yeah. They let them there so they could -- we would make them pick up stuff that we didn't want that they had dumped, put it back in their own dumpster, and haul it back out over to Rumpke
- D.S. Who would actually pick that stuff up and put it back in the dumpster for them?

APR 7 1983

DIV. HAZARDOUS

MATERIALS MANAGEMENT

RECEIVED

Ane 11 - 1533

SKINNER LANDFILL
BUTLER COUNTY, OHIO
RESPONSIBLE PARTY SEARCH

Environmental Protection Agency | SOUTHWEST DISTRICT

Region V
U.S. Environmental Protection Agency
EPA Contract No. 68-01-6543
Subcontract No. 4
Work Assignment No. 61

Donald J. Bruce On-Scene Coordinator

> P. 523 April 1983

Fird Motor Company,

TRANSMISSION AND CHASSIS DIVISION

FAIRFAX-SHARONVILLE PLANT . 3000 SHARON ROAD, SHARONVILLE, OHIO

> MAILING ADDRESS P. O. BOX 1936 CINCINNATI I, ONIO

June 23, 1964

Dr. Louis W. Gaker Commissioner of Health Butler County Health Department Court House Hamilton, Chio

Dear Dr. Gaker:

We have discussed your letter of June 10, 196h concerning one of our Company trucks transporting waste material to Mr. Skinner's dump in West Chester, Ohio with Mr. Clarke of Clarke's Sanitary Fill, 2040 Kemper Road, Sharonville, Chio.

We have a contract with Mr. Clarke for the disposal of trash from our Cincinnati plants. However, we were not aware of the fact that through a misunderstanding Hr. Clarke requested our driver to deliver the material to Mr. Skinner's dump. Upon receipt of your letter this practice was discontinued.

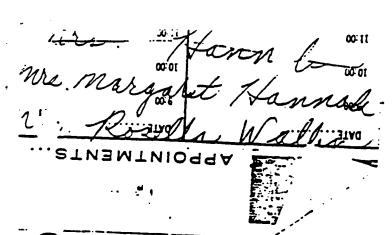
The material involved in this incident was cyanide ash which is toxic and which should be disposed of by burial. Mr. Clarke is aware of this and he has promised to take action to prevent recurrence.

We appreciate your interest in bringing this incident to our attention and we assure you that in the future our trucks will not be used for transporting material to dumps we do not have an agreement with.

Very truly yours,

MR/nd

cc: Mr. Clarke



June 26, 1964

Clark's Sanitary Fill 2040 Kemper Road Sharonville, Ohio

Dear Mr. Clark:

Information furnished us indicates that you have been sending industrial waste (Ford Company product) to Skinner's dump in West Chester.

I am sure that you know and realize that such action violates the regulations of the Butler County Board of Health which specifically prohibits dumping of industrial waste in this County without direct consent of this Board of Health.

 η Any further violation will be dealt with accordingly,

Yours truly,

Louis W. Gaker, M.D. Commissioner of Health Butler County Health Department

LWG: bg

July 16, 1964.

Dear Mr. Skinners

May I thank you for your co-operation in disposing of the chemicals received from Mr. Clarke. I was impressed by your operation and the housekeeping at your disposal. Your equipment, roads and fill were in excellent condition at the time of my visit July 10, 1964.

Once again our heartfelt thanks for preventing what could have been a serious threat from developing in our county.

Very truly yours,

George C. Bailey, R.S. Director of Environmental Realth Basilton County Health Department

CCR: VE

cc: Chester Tidings

LEISE BEE

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ROST. J. BRIEDE SAM F. SPOERL JA.

ATTORNETS AT LAW
FOURTH FLOOR RENTSCHLER SLDG.
HAMILTON, ONIO

TELEPHONE 895-3214

September 24, 1964

Butler County Board of Health Courthouse Hamilton, Ohio

Re: Union Township Improvement Association (Albert Skinner Dump)

Gentlemen:

I have not yet received an answer from you of my letter dated August 28, 1964, in which I requested a copy of the minutes of the meeting of August 5, 1964, together with copies of minutes of all meetings in which discussion was had in regard to the Skinner Dump.

During testimony in the case of Brackney vs. Skinner now being heard in the Butler County Common Pleas Court, certain facts were revealed, which should be called to your attention, relative to sodium cyanide being disposed of upon the Skinner property:

- l. Mr. Kenneth Wilbur of Goshen, Ohio, who is a Metallurgical Engineer for the Ford Motor Company at Sharonville, Ohio, testified that sodium cyanide is used in certain processing at the Sharonville Plant; that the solution of sodium cyanide becomes "spent" and must be disposed of and that such disposition is made under private contract; that the "spent" sodium cyanide usually contains some active cyanide ingredients, which are highly toxic and could poison an entire water supply; that the safe way to neutralize sodium cyanide completely is by the use of chlorine gas.
- 2. There was other testimony to indicate that several drums of sodium cyanide were dumped on the Skinner property in May, 1964.
- 3. Mr. George Bailey, Director of Environmental Health, Hamilton County, Ohio, testified that on July 10, 1964, he was called to the Skinner Dump by Mr. Skinner and that Skinner requested that the cyanide materials be returned to Hamilton County; that he (Mr. Bailey) pleaded with Skinner not to send the cyanide materials back to the Clarke Dump on Kemper Road for the reason that the

Clarke Dump is located near to a water supply for 50,000 people; that at the time he investigated this matter on July 10, 1964, the cyanide materials were not in the metal drums in which they were taken to the dump because the drums had been broken and the cyanide materials were mixed with soil and loaded on a truck; that Mr. Bailey indicated to Skinner that the cyanide materials should be buried on the Skinner property, but he was not present during the burying process. Mr. Bailey further testified that he made no tests of the soil nor was he able to state whether or not the cyanide materials could enter the water supply.

In my previous conversation with Dr. Gaker, he stated to me that the cyanide materials had been reburied in the Skinner property on Mr. Bailey's direction in metal drums and that Bailey had made certain tests of the ground and was convinced that the cyanide materials were not dangerous to the water supply in the area.

I am writing this letter to you to indicate that the sodium cyanide residue is not at this time in the metal drums in which it was delivered to the Skinner Dump, nor did Mr. Bailey make any tests of the ground.

We feel that the cyanide materials are potentially very dangerous and that the placing of such materials in the dump is a violation of the law and of your rules and regulations. We intend to contact the Ohio State Water Pollution Control Board in Columbus relative to this matter.

Very truly yours,

BRIEDE AND SPOERL

Sam F. Speerl, Jr.

SFS:jl

Interview, Maria Skinner Roy:

On April 2, 1993, Maria Skinner Roy (daughter of John and Elsa Skinner), P.O. Box 247, West Chester, Ohio 45071, was contacted and advised that Orion Management International (OMI) had been retained to reconstruct the events and use of an area known as the Skinner Landfill. Her physical location is near the entrance of the dump, located at 8740 Dayton-Cincinnati Road, West Chester, Ohio 45069 (513) 777-9454.

Roy, who is 45 years of age, stated that she spent the majority of her life on the Skinner property that surrounds the dump. She recalled her father first utilizing the site as a dump, when she was a little girl during the 1950's.

During that time, Rumpke hauled a considerable amount of general refuse, boxes of clothes and sets of silverware into the site, with the refuse being the primarily debris.

General Electric hauled airplane parts into the dump occasionally with their own vehicles and also utilized haulers, although she could not recall which haulers they utilized.

She stated a paint company in Redding, Ohio, whose name she could not recall, hauled a great deal of empty barrels containing paint residue, which were disposed of at the site.

She was under the impression that the U.S. Army had General Electric, and possibly Kings Mill, making gun powder for the

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military. As a child, she often recalled "someone important" from the Army at the site, dealing with her father on an extensive basis. She was not certain what they dumped at the site, but stated there were numerous green cans, the size of gasoline containers full of oil, which were constantly at the site.

She stated that the *Army* utilized this site as a dump prior to her father conducting business there.

[&]quot;This report prepared at the direction of counsel in anticipation of litigation." 144

[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

Interview, Maria Skinner Roy (cont):

Roy recalled **Fox Paper** in Sharonville disposing numerous rolls of paper at the site.

Monsanto, Evendale, disposed of barrels at the site from approximately 1960, but she was not certain what they disposed of or when they stopped utilizing the site.

She referred to a plastics company, she called "Paula" (probably C.M. Paula Company) located in Blue Ash. She assumed the plastic residue was disposed of within the landfill at the site.

She stated that Dick Clarke "hauled everything" into that site, including barrels, presumably filled with oil, and "always dealt with factories". Dick Clarke used the site approximately three times per week in the late 1950's up until the time the site closed. She stated he had several trucks, one of which was larger than a 40-yarder.

Roy recalled a railroad car loaded with, what she referred to as a house cleaning product called "Cinch", and believed to have come from *Procter & Gamble*, being disposed of at the site. She was not certain who had hauled it there.

She stated her father built the **Voice of America** located approximately five miles from the site. She stated all of the construction debris from **Voice of America** was disposed of at the Skinner dump.

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She claimed to have no knowledge of **Chem-Dyne** utilizing the Skinner Landfill. She was uncertain as to what John Skinner hauled into the site. She knew he did work on **Chem-Dyne's** vehicles, but stated **Chem-Dyne's** dumping was done in Indiana.

Roy related that several people would attempt to get the Skinner's in trouble by sneaking into the dump and setting it on fire, and then saying it was due to chemicals being dumped there.

[&]quot;This report prepared at the direction of counsel in anticipation of litigation." 146

[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

Interview, Maria Skinner Roy (cont):

During the period of 1960 to 1965, her father closed the dump to general garbage, because he wanted to build an incinerator on the property. But the authorities would not allow him do so. Instead of taking general refuse, he took in refuse from paint companies, General Electric salvageable material and salvaged cars.

She explained that there were two separate procedures during the time her father and John Skinner were alive and after their deaths. While alive, her father and John Skinner would show drivers where to dispose of items at the site. After their deaths, it was more of a "honor system". The drivers would fill out driver's tickets, listing the yardage content of what was disposed, and leave the tickets in either her mailbox or her mother's mailbox. During the 1980's, the majority of material disposed of was demolition or salvage material.

At this point during the interview, Roy telephoned her mother, who stated the tickets were destroyed after they were gathered for billing purposes. The accounts were paid, and then the tickets were destroyed. She then stated, "You'd need 15 houses to store those tickets".

Roy stated *Darlings*, which made dog food and consumer items, utilized the site. She believed that they hauled in soap and on occasion "dead animals".

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[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

She also identified *Ralston-Purina* as using the site approximately once a week, while her father and John were living, but was not sure what they hauled into the landfill.

Several of the surrounding cities utilized the site, and she identified *Glendale*, *Evendale*, *Sharonville*, *Silverton*, *Blue Ash* and *Reading*. All of these municipalities disposed of their refuse at the Skinner Landfill.

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[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

Interview, Maria Skinner Roy (cont):

Roy believed either Pierre Frozen Food or Thomas/Sysco utilized the site.

She recalled large amounts of *Crisco Oil* being disposed of at the landfill, when she was a child.

Kroger disposed of canned and spoiled food and she believed that **Clarke Container** hauled for **Kroger**.

There was a fire in the late 1960's, in Evendale, Ohio, where the **Rinks Department Store**, which was a very large building, burned to the ground. All the debris from that fire, including the contents of the store, was hauled into the site.

Valley Asphalt utilized the site approximately once per month from the late 1960's, until the site was closed.

Armco Steel also utilized the Skinner Landfill

She identified **Ed Batey** as hauling construction debris from torn down projects into the site.

She stated Procter & Gamble hauled construction debris and "a lot of soap products". During the 1950's and 1960's, Procter & Gamble used the site extensively.

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She identified **Avon** as a PRP and believed they dumped cosmetics and perfume into the site. She believed **Clarke Container** hauled for them. **Clarke Container** hauled into the site "all the time" beginning in the 1950's.

She said in the late 1950's, the **King Powder Company** closed, but previously they hauled a great deal of unidentified objects into the site. She recalled "weird cans" which were marked "U.S. Army". She stated there were thousands of these cans, possibly containing oil, which were disposed of at the site.

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[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

Interview, Maria Skinner Roy (cont):

Roy stated *Duffy's Smorgasbord*, located across from *Monsanto*, disposed of spoiled foods and debris, which included asbestos as a result of a large fire during the 1960's.

The debris from the new West Chester Post Office and from the old building was hauled to the Skinner site.

Whitton Trucking utilized the site "all the time" during the 1980's. They utilized the site on a regular basis for approximately 10 years from approximately 1980 through 1990. They hauled demolition and "everything" as often as King Container.

There was garbage brought in by a refuse company out of Kentucky, although she was uncertain who that refuse company was.

Ford was identified as depositing engine parts into the site during the 1960's, as well as the various demolition debris.

Coca-Cola and Pepsi hauled wooden crates and "tons of plastic containers like crazy", including pop and syrup bags.

She identified Reading Ohio Paint Company, but thought they were no longer in existence. She stated there had been a fire, when she was a child, and the debris from that fire was deposited at the landfill. Previously this entity hauled in 55-gallon drums which were empty and contained paint residue.

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She stated *General Motors* wanted to haul chemicals into the site, but her father did not allow them to do so.

Mecco, Inc. hauled a considerable amount of 55-gallon drums, possibly filled with oil, into the site by a man named Glick. She stated the drums were hauled in on a weekly basis, up until the time her father died. Mecco hauled engine parts into the site, as well as construction debris. She believed this individual identified as Glick, was an employee of Mecco.

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[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

Interview. Maria Skinner Roy (cont):

Roy stated that **King Container** was the main utilizer of the Skinner Landfill. They hauled "bricks and demolition like crazy" three to four times per day after her father died. They began hauling during the 1960's, until the day the landfill was closed, but the majority of the dumping occurred after her father's death.

She identified Watson's Pool City, located in Evendale, which is a large retailer of pools and pool products. This entity hauled in plastics, bags and 5-gallon buckets, which were emptied out and believed to have previously held pool chemicals.

Numerous lawn companies hauled into the site, depositing grass, trees, leaves, bushes, flower plants and stumps, but she could not recall the name of these companies.

Brighton Company utilized the site, but she was not certain what they hauled into the landfill. She recalled that her grandmother would often read German blueprints for this company, which is why she recalled they were at the site.

She stated all **Frisches Restaurants** around the area, often remodeled and their demolition debris would be hauled into the landfill.

During the 1960's and 1970's, Stearns & Foster deposited foam and asbestos into the site.

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She identified Whitings in Blue Ash located on Reed Hartman Highway. This company made quilts and bedding materials and they deposited pillow stuffings, which came in two ton trucks approximately once per month during the 1960's and 1970's. They did not utilize the site after that time.

DeKipper was a distillery located in the Cincinnati area and hauled distillery tanks into the site.

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Interview, Maria Skinner Roy (cont):

She recalled underground gasoline storage tanks being hauled in from SOHIO, now know as BP and the Shell Oil Company.

She identified a fast food restaurant known as Royal Castle, which is similar to White Castle's, as previously being located in the vicinity of the landfill. She stated there were two restaurants in the area and the debris from the torn down buildings was hauled into the landfill.

There was a large ice cream store, similar to the United Dairy Farmer, which went out of business, and hauled a significant amount of syrup, pineapple and strawberry mix into the site.

John Bushelman Construction utilized the site from the 1960's, until one year before the dump was closed. To the best of her knowledge, Bushelman deposited demolition debris and blacktop debris from doing work on the streets in Sharonville, Ohio.

She recalled seeing numerous engine parts with yellow sulphur and a white powder on them in the dump during the 1950's and 1960's, but she was not certain where they came from.

During the 1960's, she recalled *Hallmark* disposing figurines at the site.

The Merrell Chemical Company, possibly in Reading, utilized the site during the 1960's, and hauled barrels into the landfill. She

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was not certain what the contents of the barrels were, or if this company is still in existence.

To her recollection, the majority of the barrels from any entity were disposed of at the site during 1959 through 1969. She recalled a great deal of barrels being hauled into the site, the majority of the contents were emptied into the landfill, and the barrels were taken back out for resale.

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[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

CONFIDENTIAL INVESTIGATIVE MEMORANDUM

Interview, Maria Skinner Roy (cont):

She believed *Coca-Cola* was responsible for a significant amount of Hawaiian Punch being disposed of at the site during the late 1980's.

She also recalled methane gas being disposed of at the site, but was not certain where it came from.

Roy was asked where her brother, Otis Skinner, could be located. She stated that Otis left the family when she was 13 years of age and she had not seen him since, nor does she know where he is.

She stated that prior to her parents living in the home in which she currently lives, her uncle, Bill Skinner, was a retired General in the *U.S. Army* and owned the property and home at the site. She provided two telephone numbers for Bill Skinner, (407)777-4576 and 306 or (806)725-9080. She was not certain if he was still alive. She stated both telephone numbers were for the Florida area.

When asked who else may be able to assist in identifying PRPs for the landfill, she stated Una, and her boyfriend Bill, are owners of Ganos Tavern located next to King Container in West Chester. [NOTE: OMI's representative spoke with a female who identified herself as "Una" while within this tavern attempting to identify drivers. Una, at that time, stated that she had no knowledge of the landfill and was not familiar with any drivers from either King Container, Whitton or Clarke Container]. Roy stated that Una had blue prints and/or maps regarding U.S. Army dumping at the Skinner Landfill.

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She identified **Ed Batey**, of **Batey's Auction** (formerly **Batey Construction**), who may have information regarding the site. She acknowledged that Roger Ludwick was a friend of John Skinner's.

Regarding Chem-Dyne Corporation, Roy stated that John Skinner had hauled for them during the 1970's, but hauled to Indiana and other states. She did not live on the site during 1974 through 1976, and if barrels were dumped into the site from Chem-Dyne, she would not know it.

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[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

CONFIDENTIAL INVESTIGATIVE MEMORANDUM

Interview, Maria Skinner Roy (cont):

Regarding the fire on Easter Sunday in 1976, as reports previously reflect, the EPA had attempted to search the Skinner property, but were not provided access to the site. They returned approximately three days later to find that the lagoon had been completely covered up. Roy stated that the Easter Sunday fire was a result of oil and tires burning from the lagoon area. She believed the oil came from either Mecco or the C.M. Paula Company.

She stated that her dad, being the humanitarian that he was, noticed that ducks were dying from getting oil on them and he decided to get rid of the oil, so as not endanger the ducks. She recalled seeing names on the barrels that were disposed of near the lagoon, but could not recall what the names were.

She continued by stating that she and her family knew the EPA was coming to "inspect" the property after the 1976 fire, therefore, her father, John Skinner and others spent the weekend cleaning up the area to make it look nice. She stated during this period of time, individuals were being fined for landfills being an eyesore and, therefore, all the barrels were bulldozed, emptied and cleaned up in order to make the property look presentable for the EPA inspection.

Roy stated there was another fire in 1967, and there was a great amount of smoke as a result of her father setting fire to tires, paint and/or oil. During this fire, the police and fire department responded, but her father had provided her with a .22 rifle and

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CONFIDENTIAL INVESTIGATIVE MEMORANDUM

Interview, Mr. and Mrs. Charles Wallen:

On March 20, 1993, Mr. and Mrs. Charles Wallen, 8778 Cincinnati-Dayton Road, West Chester, Ohio, were contacted and advised that Orion Management International (OMI) had been retained to reconstruct the events and use of an area known as the Skinner Landfill.

The Wallen's reside directly across from, or adjacent to, the Hanna residence, and have been at that location since 1958. The entrance to the landfill separates the two residences.

The Wallen's were initially reluctant to be interviewed, stating that they had battled with the Skinner's in the past and it had done no good. They related that they had little information to which they could testify to and preferred not to be involved at all.

The Wallen's were also active in the 1977 suit brought by the State of Ohio. They advised that at that time, trucks were lined up "four deep" from the roadway, waiting to get into the landfill. Mrs. Wallen stated that this went on from early morning to late in the evening. As the trucks had to pass their residence in order to gain entrance to the landfill, she began recording license plate numbers. These numbers were given to one of her former neighbors, Floyd Green, who currently resides in Florida.

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The only entities Mrs. Wallen could recall utilizing the site were the City of Montgomery and City of Fairfield. Clarke Container was also a steady customer of the landfill.

She stated that Albert and John Skinner often attempted to intimidate them, recalling one instance when her children were on a swing set in the back yard and she heard gun shots. When she went outside to gather her daughters into the residence, she saw John Skinner standing near his residence shooting a weapon. Mr. Wallen stated he took his family back outside and stared at John until the gun shots stopped.

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[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

CONFIDENTIAL INVESTIGATIVE MEMORANDUM

Interview, Mr. and Mrs. Charles Wallen (cont):

The Wallen's related that shortly after they moved into their residence in 1958, someone deposited approximately 50 barrels behind their property filled with what they referred to as a "dark substance." Mrs. Wallen stated the barrels remained at that location for approximately two to three years and they were powerless to have them removed.

Mr. Wallen stated that during the mid-1960's, the stench of refuse and chemicals coming from the site was so bad that his family could not go into the backyard. One chemical he could identify coming from the site was benzine (phonetic).

[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

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[&]quot;This report prepared at the direction of counsel in anticipation of litigation."

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ENFORCEMENT CONFIDENTIAL

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ATHR:

The carier very definitely wants to remain abonymous. He does not want the Skinbers or the Preson is to whom that he called. I assured him that we would do all we could to protect his anonymit..

The caller was friends with Dester Bredory, who ran a buildozer at the site. The caller saw some pateria, at the site from 65 that was earked "hazardous", and Dexter said that he had seen things from 33 saried thazardous radiation. The aiso saw some long cylinders that Dester said were marked totalt. Seater this ferry that he had covered "tons" of this stuff. Perry saw this early last year. 1998. He said that Dexter worked at the site for two or three years, and now works for Sharonville Foundations in Mindietoen.

Perry owns the little prown house that is on the lane off the Cin. -Dayton road that the Skinner landfill is an. He said that he had been allowed onto the Skinner property a yew times, but that he had a sisagreement with the Skinners and that he is not allowed on the property anymore.

Perry said that he had seen trucks from BFI and Clark on into the site, and trucks from Coca-Cola the thought they were carrying ballettes) and unearked depolition trucks, tank trucks and duen trucks. He said there were a lot of cars at the site.

Perry was concerned about the site, and wanted information apout the contamination and cleanup plans. have his the other 800 number, and told his that I would pass his number on to Fred Bartsan. RPH for the site.

Perry said that Dexter had been half considering making some sort of report about what he had seen at the site. But Perry wanted to be sure that no one told Dexter that Perry had given his name to the EPA. Perry also said that Dexter's brother Lloyd Gregory knows about the site. Dexter lives in Middletown. and Lloyd lives on a trailer at the Skinner site.

When I asked the caller if he had ever seen Chee-Dyne trucks at the site, he said that he had seen one or two. When I asked his when, he said in 89, 88, or 87.

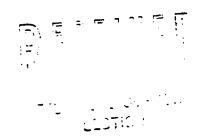
STHERS TO CONTACT: Dexter Gregory

SESERVATIONS:

Lloyd Gregory seems reliable. 6M The C. M. Paula Company

RICHARD F. DICKERSON PRESIDENT

September 20, 1991



<u>CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

Mr. Paul J. Rogers
Superfund Program Management Branch
5 HSM TUB-7
U.S. Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604

Re: Request for Information pursuant to \$104(e) of CERCLA and \$3007 of RCRA, for the Skinner Landfill, West Chester, Ohio (the "Site")

Dear Mr. Rogers:

This letter is in response to the \$104 Information Request issued to the C. M. Paula Co. (the "Company") which was received by the Company on July 25, 1991. In a telephone conversation with our counsel on August 21, 1991, you granted the Company an extension until September 27, 1991 in which to respond to the Information Request.

At the outset, it should be noted that the Company denies that it directly or indirectly arranged for the transport, storage, treatment or disposal of any hazardous materials at the Site. Further, the Company objects to the extent the Information Request asks for documents or information that are privileged. Subject to the foregoing reservations, the Company's responses to the Information Request are as follows (Please note that each answer corresponds with the request numbers set forth in your letter and we have not restated your questions):

A COMMITMENT TO EXCELLENCE

7773 SCHOOL ROAD • CINCINNATI, OHIO 45249-1590 • 513/489-9050

Mr. Paul J. Rogers September 20, 1991 Page 5

of liquid waste to Ecolotec, Inc., a permitted disposal facility in Dayton, Ohio. The materials disposed of were characterized as hazardous because of potential contact with methylene chloride used in the cleaning of molding and other equipment. As indicated in the enclosed waste product survey forms prepared by Ecolotec, Inc., the methylene chloride was in concentrations of 0-101, with the balance of the waste material consisting of non-hazardous materials such as WEP and paper waste. It is important to note that all of the accumulated waste material disposed of in 1988 was not necessarily hazardous waste. Tencon, Inc. made the determination that it would be more cost effective to treat each drum as hazardous waste rather than conducting laboratory testing to positively determine that all waste was hazardous. None of the accumulated waste disposed of by the Company in 1988 was sent to the Site.

- 8. The Company contracted with Clarke Trash Removal Company in approximately 1972 to haul all waste materials generated by the Company. BFI Industries subsequently took over the trash removal services performed by Clarke in the late 1970s. The Company's current contract for trash removal is with Rumpke. The Company does not have any information to show that any waste handled by such waste disposal firms was ever sent to the Site.
- 9. (a) Not applicable. It is not appropriate for the Company to provide financial information at this time because there is no evidence to show that the Company arranged for the transport, storage, treatment or disposal of hazardous materials at the Site.
 - (b) The Company does not have any subsidiaries.
- (c) The Company has not had any changes in its corporate name, ownership or structure, and has not obtained an interest in or dissolved itself of an interest in any other corporation, subsidiary, division or other entity.

The foregoing information provided by the Company is the result of a diligent search of reasonably available corporate records and interviews with past and present Company employees. The responses to the Information Request are, to the best of my knowledge, truthful and believed to be complete. The right to supplement this response if additional information is discovered is specifically reserved.

In addition, please consider this letter a request pursuant to the Freedom of Information Act to provide our counsel, Daniel P. Utt, Katz, Teller, Brant & Hild, 2400 Chemed Center.

Ford Motor Company,

TRANSMISSION AND CHASSIS DIVISION

Intra-Company Communication

Holler Herter +

P. September 4,

Mr. R. E. Stenberg

- 1. Copy of attached sent to Farnette.
- 2. Future correspondence will be "confidential."
- 3. Office of General Counsel wants a letter from Clark's Incinerator stating the location (s) where our material was finally placed. Clark was in today and promised to provide it.
- 4. Frank Kallin was called in on this by the General Counsel, and he called me last night. I brought him up to date. He said that we dispose of this material at Monroe and Sandusky where they have large plating operations.

Monroe handles all of the Detroit area. It appears that the cyanide is treated with chlorine and the chemical reaction breaks the compound into three compounds (water, carbon dioxide and nitrous oxide, I think).

Kallin says that most large cities have chemical reduction plants that will haul the stuff and process it if we cannot arrive at a better solution.

H. N. Klinetop, Supervisor Salaried Personnel & Training

CONFIDENTIAL

September 8, 1964

Subject:

Cyanide Waste

Reference:

Gerald Oliver - 3194 - Dapa. 224

Mr. Oliver states that on May 12, 1964, driving truck #C-105, he took about 5 - 200# drums of so called cyanide waste from Sharonville salvage department to the Clarke Sanitary will on Kemper Road. Upon arriving at the Clarke dump, Mr. Oliver was told that he was to take the load to the Skinner dump in West Chester to be buried. People at Clarke dump then loaded on our truck, four fifty-five gallon drums of their material to be buried with ours. In addition, they sent their man (Bill), along with our driver with money to pay the man at Skinners. The load was delivered to Skinners dump site by Mr. Oliver and dumped on top of the ground.

The man at Skinners dump said the charge would be \$20.00 and the amount that Bill had was not enough. Bill called back to Clarke and was told to pay what he had and Clarke would send the balance to Mr. Skinner. This was agreed to by man at Mr. Skinners cump.

Ralpn H. Dent, Foreman Transportation Department

CONFIDENTIAL

AFFIDAVIT

ENGLICH COUNTY)

SELUTE OF CRIO)

1954 SEP 15 AM 10:37

THOMAS CLARKE, doing business as Clarke's Sanitary Fill, 2040
Kemper Road, Cincinnati al, Ohio, being first duly cautioned and sworm says
that he has since the time of the Ford Hotor Company's opening of their
Sharonville plant supplied incinerator service for the disposal of said
company's combustible industrial waste material and dyanide chamicals, the
same being more recently evidenced by a written instrument dated February
3, 1964, by and between said Ford Hotor Company and deponent.

Further, deponent states that in regard to the symids chemicals of the Ford Motor Company, the same has, at all times, been received by the deponent at 2040 Kemper Road, as per agreement, and said chemicals were shipped in Ford Motor Company trucks and disposed of by one A. Skinner in Butlar County, Ohio.

Further, deponent saith not.

Thomas Clarke & Barton & Barton Fill

Sworm to before se and subscribed in my presence this Z

Motery Public, Hamilton County,

State of Chic

7146, 6046 6 8066 277646576 67 Law 104 64465 78466

The City of Silverton

HAMILTON COUNTY SILVERTON, OHIO 45236-4095

OFFICE OF THE SERVICE DIRECTOR
PAUL J. STEMAN
6860 PLAINFIELD ROAD
793-8918



April 14, 1992

Paul J. Rogers
Superfund Program Management Branch HSM-5J
U.S. Environmental Protection Agency
77 W. Jackson Boulevard
Chicago, Illinois 60604

Dear Mr. Rogers:

Below are the responses to the information which was requested:

- 1. Paul J. Steman, Service Director/Fire Chief Jill Short, Senior Assistant
- 2. Jill Short, Senior Assistant inventoried all City records and on 9/12/90 disposed of old records per the schedule of record retention and destruction (copy attached).
- 3. All persons who had control of these records and/or control of dumping are now deceased.
- 4. Unknown
- 5. Unknown
- 6. Leonard F. Glos, Street Commissioner (now deceased).
 - a. Unknown
 - b. Unknown
 - c. Unknown
 - d. Unknown
 - e. Unknown
 - f. Unknown

- Assumed Leonard F. Glos, Street Commissioner. g.
- h. Unknown
- i. Unknown
- j. Unknown
- k. Unknown
- 1. Unknown
- m. Unknown
- n. Unknown
- 0. Unknown
- Documents unavailable.
- All persons deceased.
- 7. Waste most probably was household garbage that was picked up.
- It is assumed that during the 1950's 1960's that household waste was transported by City trucks to Stubbs Mill Landfill in Morrow, Ohio; 1970's to Clarke's Services in Sharonville, Ohio until 1990 when the City of Silverton contracted with Rumpke, Inc.
- 9. n/a

If you have any questions concerning these responses, please feel free to contact me.

I believe the above responses to be true and correct to the best of my ability.

cc: Clerk Mayor

Paul J. Steman Service Director/Fire Chief

Sworn to before me and signed in my presence this 14th day of April, 1992.



The City of Silverton

HAMILTON COUNTY
SILVERTON OHIO 45236-4095

OFFICE OF THE SERVICE DIRECTOR
PAUL J STEMAN
6860 PLAINFIELD ROAD
793-8916



State of Ohio County of Hamilton

SS

AFFIDAVIT

Before me a Notary Public, in and for said state, personally appeared Paul J. Steman, Service Director/Fire Chief for the City of Silverton, Ohio who being by me duly sworn deposes and says that he searched all past records and all documents pertaining to dumping at Skinner Landfill Superfund Site, West Chester, Ohio in 1957 were disposed of on 9/12/90. All people who were in control of the City of Silverton Service Department in 1957 are now deceased. Please be advised that I, Paul J. Steman, have been in control of the City of Silverton Service Department since 1975 and I have lived in the City of Silverton all of my life. I can not imagine that the City of Silverton would hav had any hazardous waste that was hauled to Skinner Landfill; and the only explanation that I might give for dumping at Skinner Landfill would have possibly been if our normal dumpsite was unavailable for a short period of time for some reason.

Pául J. Steman,

Service Director/Fire Chief

Sworn to before me and signed in my presence this 14th day of April, 1992.

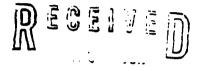
Jill A. Short Notary Public

Notary P

IRL A. SHORT
Notary Public, State of Ohlo
A Commission Expires May 28, 1992

NTERNATIONAL PLACE I 6400 POPLAR AVENUE MEMPHIS TN 38197 PHONE 901 763-6000

Steven I. Ginski
Associate Counsel – Health and Environment
Direct (901) 763–6851
Telecopier (901) 763–6505



March 17, 1992

SUPERFUND PROGRAM MANAGEMENT BRANCH

CERTIFIED MAIL RETURN RECEIPT REQUESTED

U. S. Environmental Protection Agency Region V Superfund Program Management Branch HSM-5J 77 West Jackson Blvd Chicago, Illinois 60604

Attn: Paul J. Rogers

Response to request for information pursuant to Section 104(e) CERCLA for the Skinner Landfill, West Chester, Ohio

Dear Mr. Rogers:

The following is the response of Masonite Corporation (Masonite), a subsidiary of International Paper Company to the request for information attached to your letter dated February 24, 1992 regarding the Skinner Landfill site (site). I will be handling this matter and all future correspondence should be directed to my attention.

Masonite objects to section 4 of the instructions purporting to impose on Masonite an obligation of indefinite duration to supplement its response should any information not personally known or available to it become known or available at any time in the future. Should EPA make a specific request for a supplementation at any time after receiving this response, it will endeavor to respond.

DESCRIPTION	REFERENCE	DATE	ACCOUNT NUMBER	DEBIT	CREDIT	BALANCE
NUMPKE INC.		0012566	567.00	15.00		15.00
		>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>	1	400.00		4,5-00400.00
	•	0CT2566	567.00		415.00	0
SANTI	<u>-</u>	DEC2066	567.00	645.00		645.00
STATES OF		DEC2066	567.00	7.95		652,95
		DEC2066	567,00	37.50		690,45
LARKE 'S SANITARY FILL		DEC2466	567.00	672.00		1.362,45
		DEC2566	567.00		1,362,45	.00
LARKE 'S SANITARY FILL	<u></u>	FEB1567	567.00	16.00		16.00
INC		FEB1567	567.00	1,250.00		1,266.00
USHELMAN SUPPLY CO.		FEB2567	567.00	1,000.00		2266.00
		FEB2567	: 567.00		2.266.00	.00
AN BOOP SERVICE		APR1967	567.00	54.03		54,03
		APR2567	567.00	210.00		264.03
		APR2567	567.00	735.00		999.03
		APR2567	567.00		999.03	.00
ALDEN INC.		1991NDF	567.00	28.00		28.00
		1991NDF	567.00	280,00		308.00
. **		JUN2567	567.00	210.00		518.00
		JUN2567	567.00		518,00	0 0
NI BEBT SKINNED		AUG1567	567.00	25.00		25.00
21 07 17		AUC 1567	567.00	506.00		531.0C
≯ C		AUG2567	567.00	- 10.00		541.00
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. 4		19522NV	567.00		19.77	731.23
		AUC2567	567.00		25.00	706.23
i.		AUC2567	567.00	38.89		745.12
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WASTE DISPOSAL

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MTIFELD SOHIO SERVIC		3065	567.00	40.87	į	215.87	10 10 10 10 10 10 10 10 10 10 10 10 10 1	
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	i)	40.78	;	215.78	1. 1.55.1.5	
APKE, INC.		3065	567.00	37.50		253.28	11.5 8.5 8	
:/3	1	3065	567.00	37.50	1	290.78	and the same of the	
ANE 'S SANITARY FIL	, ject	3065	567.00	j	290.78	٥٥	No. of the second	(
-	T DEC	2165	567.00	195.00	:	19500		•
ARE'S SANITARY FIL	_ ,	3165	567.00	155.00	:	350.00		
MPKE, INC.	1	3165	567.00	3750		38750		
. #3	,	3165	567.00	37.50	1	425.00		
	186	3165	567.00	ĺ	4 2 5.00	.00		
ANCE'S SANITARY FILE		2866	567.00	19500			14	1,
TFIELD SOHIO SERV.		2066 2866	567.00	17.20	i	195.00		
PKE, INC.	FE 82		567.00	30.00	ì	21220	My Sanda	
/ 3		2866	367.00		}	242.20	10 Sec. 48	
7-	1	28 66		3750		279.70		
ARKE'S SANITARY FILL	1 ***		367.00		279.70	.00		ı.
		1366	567.00	245.00	j	245.00		_
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MPKE, INC.	1	1366	567.00	52.50	1	32433	3 \ 3 \ 3	
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/ 3	MPR7	1566	567.00	3750	1	413.89	80 (1.3.1.3.1.3.1.3.1.3.1.3.1.3.1.3.1.3.1.3	
		2566	567.00	}	413.69	.00		21
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MPKE, INC.		2566	567.00	64.78	i	42946		
. 13		2566	567.00	30.00	i	459.66		
. 73		2566	567.00	3750	ł	49716		
TFIELD SONIO SERV		2566	567.00	ſ	407.26	٥٥		3.0
TITE ONLY	MC	266	547.00	40.00	i	40.00		40
APKE, INC.	and a	2266	267.00	37.50	į	77.50	1 44	
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ACCT#567 1966-1967

ACC NAME: Wask Disposal B0x#3282

Description: १०।३४८ १०।४८।० ०+ Clarke's Sanitary Lie

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•	3740.53			2525.87				1,756,98		1,439.78						708.51				337.95					VEAR TO DATE

Clarkés Samitary fill ACCT. MAHE: Waste Disposal 9/30/65 to 7/28/66 1966-67 BOX: 3282

RECEIVE

MAR 11 1992

LEGAL D. LARLACIOT

ACCT. #567 WASTE DISPOSAL 1966-67/BOX 3282 Clarke's Sanitary fill 9/24/66 to 5/17/67 Skinner Disposal 5/26/67 to 7/19/67

Ex 1-4

467

WASTE DISPOSAL

DEDCRIPTION REPERENC	E DATE	ACCOUNT REGINU	91917	CREST	BALANCE	PAGTOR .	YEAR TO BATE
ANKE'S SANITARY FILL	SEP2N66	567.00	705.00		705.00	W. C.	-
ATFIELD SONIO	SEP2466	567.00	62.35	j	767.35	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	•
ATOFLELD SOHIO CORR	E¢Tsep?466	567.00	6235	•	705.00	777.7.	
TFIELD SOHIO	SEP2466	567.00	62.35	1	76735	Cartie Com	
umpke, inc.	SEP2466	567.00	37.50	<u> </u>	804.85	Se Start S	
	SEP2566	567.00)	804.85	00.		804.45
MPKE, IBC. ATFIELD SONIO SERV.	1012566	567.00	405.00	. 1	405.00		
ITFIELD SONIO SERV.	M0452266	567.00	954	ļ	41454	N 1 8 8 8 8 8 9 9	
	M8152266	56740	İ	41454	၁ ၀		163439
ANCE'S SANITARY FILL	F80/MAL	567.00	647.00	i	647.00	3 3 3 X 2 3 3 3	
MPKE, INC.	FAO/KAL	567.00	369.00	į	1016.00	3 . 2 . A . A . A . A	
SHELMAN SUPPLY CO.	THISOES	567.00	359,00	ļ	1375.00	Mary Comment	
ARKE' SANITARY FILL	THE SOUTH	567.00	216.00	j	1591.00		
TFIELD SOHIO SERVICE	TADSUM.	567.00	28.02	j	161902		
. 7	14#2567	567.00		1619.02	20.		
LPKE, INC.	FARINGT	567.00	530000		53000	\$ 3283.25°	.4615#6
TFIELD SONIO SERVICE	R427067	567.00	19.17		349 1 7	8 3473 X 4	
ULPKE, ING.	H482567	567.00	1	j		The second second	
. 24	MARZS67	567.00	735.00	·	128417		
L' dis	MARZS67	567.00	210.00	735.00	149417	San State State of the State of	
•	M42567	567.00	-		759.17	V 34.78	
IN BUOP GARAGE	M41/267	567.00	238.10	75917	.00		7.641.03
SHELDAN SUPPLY CO.	MATIZET	567.00	204.83	ì	238.10		
ARKE'S SANITARY FILL	MAYIZEZ	567.00	32.00	į	442.93	The same	
KINNER DISPOSAL	RA72663	367.00	7.00	{	474.93		
E. #4 E. #11	MAT2667	567.00	210.00	}	481.93		•
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	MATZEEZ	567.00	Ì	453.83	453.83	17.75	
ICK 'S FRAME & BODY SHOP	JE 1967	567.00	25.00	4 2 3 3 3	.00		909329
UMPKE, INC.	JL 1967	5 67.00	25.00	-	25.00	The second of the second	
CIMMER DISPOSAL	JR 1967	567.00	210.00	j	50.00		
AN BUOP SERVICE	JR 2567	567.00	19.77	1	260.00	8 3 5 5 5 7 7 7	1
E, # 4	JL 2567	5 6 7.00	210.00		279.77	1.00	
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570-32 Waste Wisposul Box: 3253 Clarkes Incinerator Inc. 2/24/68

EX 1-5

ACCOUNT NUMBER

ACCOUNT NAME

WASTE DISPOSAL

ocacai -tion	REFERENCE	PATE	ACCOUNT NUMBER	DESIT	CATON	DALAMES	PROOF	TEAR TO SAFE
LBERT SKINER		7991730	5 70.50	4 50,00		450.00	Committee (
UMPICE, INC.		OC15361	570.50	15.00	}	465.00	5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5	
TRE CITY, INC.		OC12361	570.50	87.20		552.20	\$ 28. XX .	
APKE, INC.		9012567	570.00		552.20	٥٥.		552.20
BERT SKINNER		1961/000 1961/000	570.50	15.00	ļ	15,00	1	
110 VALLEY PETROLEUM	100		570.50	287.00		302.00	1.50 80	
		MOV1067	570.50	840		31040	S. T. B. Mikrosey	
HIO VALLEY PETROLEU		MOA/192	570.50	45.15	ŀ	355.75		
110 VALLEY PETROLUEN		MOVESEL	570.50	63.49	1	419,44	فرخ وتوري المراق	
110 VALLEY PETROLUEN	1	MO4522	57050	34.68	1	45412	13.50	
IRE CITY, INC.		M0452961	570.50	8946	}	543,78	200	i
		. 1072567	570.00	i	543.78	.00.		1095.98
LAPKE, INC. IER CITY, INC.		9CC/36J	570.50	30.00	1	30,00	1	400000
		DEC/SEJ	570.50	11.00	1	41.00	S	
HIO VALLEY PETROLEUN	i	DEC1567	570.50	31A0		72A0	11.37	
LBERT SKINNER :		OFC1567	570.50	182.00	1	25440		
		MC5226J	570.00		25440	٥٥		135038
N BUOP SERY.		JAN2368	570.50	46.97	1	46.07	200	
SHELMAN SUPPLY CO.	-	JANS 368	570.50	20.00		66.07		
IIO VALLEY PETROLEUM BERT SKINNER -	w.	10152968	57050	56.81	1	123.78	1287-1	
10 VALIEY PETROLEUM	1	JAN2968	570.50 570.50	141.00	}	284.78	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	
RE CITY, IND.		J4N2668	570.50		1	33441	· · · · · · · · · · · · · · · · · · ·	
	-	JUISE 68	57000	46.44	380.85	380.45	N. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	
SKINNER		/E89-68	570.50		30023	.00		173123
AN BUOP GARAGE		FFR236B	77.52	42.00		42.00	35 C 37 34 5	
RE CITY INC		FE82368	570.50	113A7 18.00	1	155,47	48.00 Ca	
110 VALLEY PETRO		FEB7468	570.50	44.85	1	173A7	4. 7. 7. 1. 4. 1.	
RE CITY INC .		FE02468	570.50	10.00	1	21832	1. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2.	
ARKES INCINERATOR I	NC	FERRAGE	570.50	384.00	1	22832		
		FE92468	570.00	35426	61232	612.32	J. 1. 26.15. 3	
N BUOP GARAGE		4481568		:	612.32	.00	Say Land De Britain	2343.55
N BUOP GARAGE		MAP 1568	570.50 570.50	45.95	}	45/85	2.3 3.3	
110 VALLEY PTRO		HAPISAR	570.50	59.80	1	47.10	最近的各地域的	
W BOUP SERY.		H497748	570.50	12.87	1	106,90		
10 VALLEY PETRO		#40776B	570.50	32.89		119.77 15246		
10 VALLEY PETRO CO		#145-49	570.50	29.90	1		1.67.7	
RE CITY		4107549	570.50	1812	• 1	182.56	3. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	
		H482568	570.00	****	222.2	20048	3 - C. S. S. S. C.	
& N AUTO ELEC		4901568	*		89.002	.00	7.10	254423
HIO VALLEY PETRO		Thaire	570.50 570.50	17.94	1	17,94	10 10 10 10 10 10 10 10 10 10 10 10 10 1	
IRE CITY		1001548	570.50	33A9	1	51A3	2184	
AN BUOP SERV		1001549	570.50	17.51	1	56A3	North Barry	

570-23 Wester Director Box 3283 Clorkes Incinerator 2/9/68 to 7/26/68

Ex1-6

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ACCOUNT NUMBER

570-23

ACCOUNT NAME

WASTE DISPOSAL

DESCRIPTION	REPERENCE	DATE	ACEQUAT NUMBER	92947	CREDIT	BALANCE	PROOF FACTOR	TEAR TO BATT
MPKE, INC.	·	04.52.01	570.50	75.00	37.00	75.00	W. W. W. W. W. W.	
•		M172668	57000 57000		75.00	20		75,00
MINES INCINERATOR		FEB9-68	570.50	264.00	20	.00 264.00	V X 3	75.00
		FEDERALA	570.00		264.00	.00	1. 3. 4. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	
MKE INC.		MAP 1 168	570.50	00.00	10000	30,00	27.5	33900
•		H472568	570.00		30.00	00.	1 × × × × × × × × × × × × × × × × × × ×	36900
LAPKE		JP22668 RATZO68	570.00 570.50	45.00	٥٥.	.00 4500		369.00
\				المدد	45.00		₹.7.5.	
		M17568	570.00 570.00		.00	0Q 0Q		414.00
USHELMAN- &UPPLY CO		JR 1568	570.50	24940	.50	24940		414.00
LARKES INCINERATOR		AL 1568	570.50	11740	ľ	367.20	\$ 5.54.50 \$ 2.54.50 \$ 2.55.50	
UMPKE INC		JJ 2258	570.50	17.20	ì	38440	No. 67 (8)	
LARIES		JR 2668	57050	4440		428.80		
UMPKE INC		AL 2663	570.50	23.00	· ·	451.80	1. 1. 1. 1.	
		AL 2568	570.00		451.80	.00		86540
		AUC3168	570.00	}	.00	٥٥	12	
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00-105 Lmr. pation 7/15/66 to 7/26/68

Ex 1-7

ACCOUNT NUMBER 570 - 22

ACCOUNT NAME WASTE DISPOSAL

ACCOUNT NUMBER REFERENCE | 059-7 CREDIT ---DESCRIPTION BUSHELMAN SUPPLY 5.70.50 19 × 4 ; 124.80 12480 CLARKS INCINERATOR RUMPKE INC. 770.00 20.542 58.80 18340 57653 840 19220 LANES AR 26.68 570.50 4440 23640 JH 26.68 570.00 - 23640 ٥٥ 23640 AUC3168 570.00 .00 .00 23640

570-32 waste Disposal Box 3283
Clarkes Incinerator 4/15/68 to 6/14/68.

Ex18

OESERPTION	-	DATE	ACCOUNT NUMBER	79230	CREDIT	DALANCE	PROOF PACTOR	TEAR TO DATE
LARKES INCINERATOR IRE CITY INC. LARKES INCENERATOR HIS VALEY PETRO	INC	100;244 16-72'. 100*24 100*2668	570.50 570.50 570.50 570.50 570.60	240,00 36,46 624,00 54,42	1029.92	313.94 350.40 974.40 1,028.82		
BUSHELMAN SUPPLY CO. DAN BUOP GARAGE DAN BUOP GARAGE	•	NT.15068 NT.1668	57050 57050 57050	255.00 61.02 30.41	A027.72	.00 255.00 316.02 346.43		3573.05
HIO YALLEY PETRO INE CI IT LAPKE INC. USHELMAN'SUPPLY CO LANCES INCINERATOR	IMO	WALSORS WALSORS WALSORS WALSORS WALSORS WALSORS	57050 57050 57050 57000 57000	78000	526.23	406.23 416.23 526.23 .00 780.00	2	409928
HIO VALLEY PETRO		JM1468 JM1468 JM2568 JH 2443	570.50 570.50 570.00	480.00 20.33 715.49	1280.33	1.260,00 1.280,33 .00	20 20 20 20 20 20 20 20 20 20 20 20 20 2	5,37941
USHLEWAN SUPPLY		AR 2668 AR 2668 AUC3168	570.50 570.60 570.60	100.00	816A7 .00	715A9 816A7 .00 .00		\$196.08 \$196.08
•	-		·					. 467040

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ACCOUNT NUMBER

WASTE DISPOSAL

ACCOUNT NAME

DESCRIPTION	-	DATE	######################################	96917	CRED-Y		Pange Pactos	7EAR TO BAT
USHELMAN SUPLLY CO LARKS INCINERATOR UNPKE INC. LARKES	!	## 1544 ## 1545 ## 757 ## 2668	570.50 570.50 570.50 570.50	748.80 352.80 51.60 266.40	:	74880 110160 1153.20 141940	7 (97) -2 203 - -3 203	
		A868	570.00	į	141960	٥٥		141940
	-	AUC31 68	570.0 <u>0</u>	-	.00			141940
			•					
					;			

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570-21 Warte Duricel 1203

Martin Meinanter 9/15/68 to 7/24/65

Ex 1-10

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ACCOUNT NUMBER 570 - 21

ACCOUNT NAME

WASTE DISPOSAL

	VASIE	PESPUSAL						
DESCRIPTION	REFERENCE	DATE	ACEGUNT	OEBIT	CREDIT	BALANCE	PROOF FACTOR	TEAR TO DATE
USHELMAN SUPPLY CO LARKS INCINERATOR LAPKE INC LARKES	-	JP 1548 JF 1549 JF 2258 JR 2668 JR 2668	570.50 570.50 570.50 570.50 570.00 570.00	124.80 58.80 8.60 88.80	281.00	124.80 183.60 192.20 281.00 .00	TACTOR OF THE PROPERTY OF THE	281.00 281.00

Personal services

E 3000028

Clarkes mainerator 8/30/68

Ex 1-11

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ACCOUNT NUMBER

*571*0-35

ACCOUNT NAME

WASTE DISPOSAL

DESCRIPTION	REFERENCE	DATE	ACCOUNT MUMOCE	9697	CRESIT	BALANCE	PROOF FACTOR	7EAR 70 0ATE
LUMPKE, INC.	<u> </u>	SEPITET	570.50	15.00		15,00	12 1-1251	
		SEP2567	570.00	}	15.00	.00	2.32	15.00
		9C1529J	570.00]	.00	.00	Jan. 10. 11.53	15,00
TTY CASH		W0V2561	570.50	10.20]	1020	10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
		H0V2567	570.00	ì	10.20	٥٥.	7 (44)	25.20
		DEC2567	570.00	j	٥٥	٥٥		25.20
SHELMAN SUPPLY CO		THISEES	570,00	1	١٥٥	٥٥	300000000000000000000000000000000000000	2520
SIECHNIN JUPPET OU		FEBZNAS	570.50		44.78	44.78	38.	*
		FEBSNER	570.00	44.78		.00		1958
		HTLS200	570.00		.00	.00		19.58 g
		1645PP8	570.00	}	.00	.00	3.5	1958
		M152288	570.00]	(٥٥	٥٥		1958
MPKE		88#IMR	570.50	00.09]	90,00		
		JM2568	570.00	j	00.00	.00		70A2
•		JAL 2668	570.00]	.00	٥٥		70A2
SUSHELMAN SUPLY		AUC3068	570.50	39000	1	39000	5 51.8765	
ANCES INCENERATOR		AIK:3068	570.50	480.00	Ì	870.00	\$ " " "	
umpke nc		MC3068	57050	60.00	j	930.00	63. (2.2.2.3)	
M. DEDER MIX		41153055	570.50	30.00	İ	960.00	3 32 7 15 6	
		AUC 31 68	570.00	ì	00.00	.00	S. 13 Jan 1	103042
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ACCT# 570-35 ACCT. NAME: WASte DISPOSED

Clarker Sens. Mc 9/30/63 to 11/18/68

Ex1-12

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ACCOUNT NUMBER 570-35

ACCOUNT NAME VASTE DISPOSAL

otsenithen	867686×63	9A7E	TWUBBIA RBBMUN	9497	CARRIT	SALAMES	PROOF PASTOR	VEAR TO DATE
DAN BUOP SERV		5.2.4.2	570.50	7447		7447	y Allen	
CLARKES SERV INC		CCD1.TO	570.50	180.00		25447	Sugar Bress	
THIO VALUEY PETRO		6695 T.	570.50	8.86		26353		
		SEP3068	570.00	- !	263.53	.00		263.53
USHELMAN SUPPLY		ter:::::	70.50	394.00	<u> </u>	394,00		
M.OEDER READY MIX		gentara 💎	470.5C	140.00		534.00		
RUMPKE INC		MC13/27	570.50	110.00		644.00		
J.E. 15		n nes	57050	285.00	1	929.00	200	
		OCT3168	570.00		29,00	٥٥		L19253
MLOERDER MIX		Me/	57050	285.00		285,00		417233
BUSHELMAN SUPPLY		Barrio 1.3	270.32	00.484	Į.	971.00	A Park	
CLARKES INCINERATOR		\$ ⊕ 3'.	570.50	108.00		1079.00	4.5.3	
RAPKE INC LE. 10		MUA3028	570.50	45.00	l	1124.00		
~E. 10		M073068	. 57050		285.00	83920		
		NOV3068	570.00		539.00	-		
M.OERBER MIX		861136	57050	545.00	337.00	.00 00.545		2031.53
AN BUOP SERV.		DECT LAS	570.50	6.00	ł	551.00	1 7/3 (1-3-1)	
HIO TRK EQUIP		Secret ca	570.50	321.00	1	872.00		
•		DEC3168	570.00		572.00	٥٥		2903.53
RUEHAUD CO		MILSS 60	57050	248		2A8		470333
USHELMAN SUPPLY	-	J882444	570.50	180.00		152A8		
AN BUSP SERV.		1885.864	570.50	60.24	Į.	242.72	1.73 8 (1.8.7)	
HID VALLEY PETOR		JA#3169 201/USL	570.50	17.85		260.57		
RE CITY		JAN3169	570.50	30.00		29057	3 3 4 3	
			570.50	3.00		293 .9 7	V 64 6 1	
		JM3169	570.00		293.57	.00	N.	319710
IAY SALLEE		FER: '59	5 70.50	37.00	į	37,00		427/40
AY SALLEE		FE02869	570.00	ł	37.00	.00	100	323410
NI SACTE		MARS#69	570.50	41.00		41.00		
The second		MAR3169	570.00		41.00	٥٥		3275
AY SALLEE CORR.		APP1569	570.50	46.00		46.00		7522
		143/883	5398.80	20.00		26.00	119	_
AY SALLEE			l l	j	26.00	00.	Samuel Control	3701
		MAY 269	570.50	44.00	,	00.44	13 8 3 5	730170
AY SALLEE		#473169 :::/2 62	570.00	_	44.00	.00		334510
		JW3069	533380	48.00		48.00		
M DEDER BEADY MIX		JR 2469	5 70.50		48.00	00.	2.7.	\$293.1C
m seber reaby hix		M 2069	370.30	90.00		90.00	23.3.3	70.23

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Legal Operation General Electric Company 1000 Western Avel Lynn MA 01910

June 27, 1991

Paul J. Rogers
Superfund Management Branch
5HSM TUB-7
U.S. Environmental Protection Agency
Region 5
230 South Dearborn Street
Chicago, Illinois 60604



TECHNICAL SUPPORT SECTION

Re: Request for Information Pursuant to Section 104(e) of CERCLA and Section 3007, for the Skinner Landfill, West Chester, Ohio, hereinafter referred to as "the site."

Dear Mr. Rogers:

The following constitutes the response of General Electric Aircraft Engine (GEAE) to the information request of U.S. EPA for information concerning the Skinner Landfill (the site).

As discussed and agreed with John Breslin, of the office of the Regional Counsel, this response is limited to GEAE's facility located in Evendale, Ohio (the facility). If the Agency identifies additional GE facilities associated with the site, GEAE will respond as to those.

This response reflects the results of a diligent and good-faith effort on the part of GEAE to respond to the Agency's information request. Based upon that effort, GEAE has no information, documents or reason to believe it generated, treated, transported, stored, disposed of or otherwise handled any materials -- as your information request defines that term -- to the site.

To the contrary, GEAE's inquiry leads it to conclude that it did not send any materials to the site. During our investigation one of the individuals responsible for arranging for disposal of GEAE's materials from its Evendale facility, Ralph Niehaus, recalled that sometime in the mid-60s, a member of the Skinner family solicited disposal business from GE, but GE management rejected that overture. In addition, a review of

7. Pursuant to my conversation with Mr. Breslin, that inquiry was limited to processes and waste streams at our facility connected or related to the site, of which none have been identified. I am enclosing, however, our 1990 Annual Report, which summarizes our current waste streams.

To the extent GEAE obtains additional information it will, of course, supplement this response.

8. GEAE utilized the following waste disposal firms to dispose of waste materials generated by its Evendale facility during the period 1950 to 1991:

Pristine, Inc., Reading, Ohio Claramont Environmental Reclamation (CeCos Landfill), Williamsburg, Ohio Metropolitan Sewer District of Greater Cincinnati, Cincinnati, Ohio Rumpke Landfill, Coalrain Township (Ohio) Browning Ferris Industries (BFI), Fairfield, Ohio Browning Ferris Industries (BFI), Marrow, Ohio Clarke's Incinerator, Inc., Sharonville, Ohio Clarke's Sanitary Landfill, Sharonville, Ohio Schlichtler Co., Inc., Hamilton, Ohio Northern Kentucky Sanitation Co., Walton, Kentucky Keenan Oil (location to be supplemented) Clark Oil, Dayton, Ohio Newco Chemical Waste Systems of Ohio, Inc., Williamsburg, Ohio Byrnes Conway Construction Co., Carthage, Ohio

The following firms were used as transporters of waste materials generated by GEAE's Evendale facility:

Monsanto Industrial Chemicals (identification to be supplemented Nuclear Engineering (identification to be supplemented) City Haul, Cincinnati, Ohio

Persons responsible for selecting the disposal sites and transporters included:

- G.E. McLaughlin, Manager of Plant Engineering and Maintenance
- J.E. Lockhart, Manager of Plant Facilities
- R.H. Niehaus, Manager-Transportation;
- A.M. Reed, Manager-Environmental, Health & Safety
- B.T. Fenwick (identification to be supplemented)
- J.P. Lewis (identification to be supplemented)
- J. Stimac, Purchasing Manager (deceased)
- C. Gloucester, Purchasing (deceased)
- T. Harmon, Manager-Facilities (deceased)
- G. McKinley, Manager-Environmental Engineering Programs

f101



EVENDALE PLANT CINCINNATI, OHIO 45215

. SUBJECT

SOLID WASTE DISPOSAL SUMMARY

April 27, 1973

MAIL DROP	
DIAL COMM 8 * 332	
COPIES:	

R. Niehaus

R. T. Fenwick

Attached is an updated summary and cost comparison of the solid waste disposal program currently being used at GE Evendale, and four available alternate disposal plans.

The GE Evendale solid waste disposal program has been reviewed annually since 1970 for the purpose of:

- 1. Reviewing disposal costs and identifying any significant changes.
- 2. Assuring compliance with regulations.
- 3. Assuring that alternate means of disposal are available.

The 1973 review reflects the following changes and concerns:

1. Total solid waste accumulation is down by 19% since 1970.

	1970	1973
	Tons/C	alendar Day
Combustibles	17	15
Non Combustibles	3	2
Fly Ash	20	16
Water Plant Sludge	13	10
	53	43

2. Annual disposal cost at Franklin, Ohio facility is \$12,000 less than in 1970. Due to the high percentage of paper in our combustible wastes, they have made a tentative offer to reduce the current \$6.50/ton to \$4.00.

The total annual and unit costs are still in excess of Clarke's Incineration.

 There has been a general cost escalation for all other disposal programs. The reasons vary, but they primarily are due to hauling costs.

QUESTION 8

A 14-E

EVENDALE PLANT CINCINNATI, OHIO 45215

. SUBJECT

Page Two April 27, 1973



MAIL DROP
DIAL COMM 8 * 332
C-0155.

- 4. Clarke's Incineration still is not in compliance with Ohio air pollution control emission regulations, and is currently in litigation with the Ohio EPA, relative to their order to close the teepee burner operation by 4/13/73.
- 5. Based on our observations, the Clarke operation will not continue in business at the present location beyond mid 1975, regardless of the EPA's decision on the teepee. The 18 acre landfill area is diminishing rapidly, and it will not be economical to haul residue to another site.

It is recommended that in 1973:

- 1. We will continue to use Clarke's Incineration as long as it continues to be the most economical method, and providing the facility is operated within the legal requirements of the Ohio EPA.
- 2. We actively explore those alternate plans that offer potential savings.
- 3. Continue our long range efforts to find a means of disposing of solid wastes that will afford energy or resources recovery.

Allon H Poed

AMR:11

Attachment:

GE EVENDALE SOLID WASTE DISPOSAL

ESTIMATED ANNUAL SOLID WASTES

April, 1973

Material Disposed of at		To	ns
Clarke's Incinerator, Inc.		Per Day *	Annually
Combustibles		15	5,400
Non-combustibles		17	800 6,200
Material Disposed of by Lagooning on "100 Acres"			
Fly Ash		16	5,850
Water Plant Sludge		10	3,650
•	TOTAL	26	9,500
		43	15,700

*Average per calendar day

GE EVENDALE
SOLID WASTE DISPOSAL
SUMMARY

VAT IT DAG LABORATE	and and and and and and and and and and	DISTANCE FROM	•	- PER TON		ANNUAL
DISCOSE FACILIII	MEIHOD OF DISPUSAL	PLANT - MILES	DISPOSAL	HAULING	TOTAL	COST
Current method-Clarke In-	Salvage & incineration	6.5	\$4.80	\$3.60	\$8.40	\$52,050
Northern Ky. Sanitation Company	Landfill	35.0	2.50	8.60	11.10	906,89
City of Franklin	Recycle & incineration	23.0	3.80	6.10	9.90	61,200
City of Cincinnati	Compaction & landfill	15.0	PROGR	PROGRAM ABANDONED		
In-Plant	Landfill	1.5	5.90	2.00	7.90	49,300
BFI	Landfill	13.0	2.50	4.80	7.30	45,500
E 3000036					•	

GE EVENDALE SOLID WASTE DISPOSAL

CURRENT PROGRAM

DESCRIPTION OF FACILITY

Clarke's Incinerator, Inc. is a private collection, salvage, and incineration complex located on an 18-acre site at the junction of I-75 and I-275. There are three incinerators on the site, only two of which are currently in operation. The 150-ton reciprocating grate and the tepee burner are the two in service, while the 300-ton traveling grate unit is down because there is insufficient waste load to keep it in service, and also considerable maintenance is required before it can be placed in service.

The 18-acre site provides very limited landfill area for incineration residue, a condition which limits the duration this operation can continue in business.

There is a 6-acre, 68' deep lake which provides the water supply for the incinerator scrubbers and fire protection. Waste waters from the incinerator scrubbers are returned to the lake for disposal.

Since the 68' depth actually extends into the groundwater strata, the practice of using the lake for waste water disposal and the dumping of waste materials and incinerator residues around and in the lake, creates a serious pollution hazard relative to the contamination of the groundwater supply.

Although there are periodic efforts to improve the housekeeping and the incineration operation, they repeatedly fail to meet current air pollution standards. They have been order to discontinue operation of the tepes burner by April 13, 1973. (Order has been appealed).

Mr. Clarke has tried to obtain long-range contracts or commitments from his existing and potential customers in order that he can justify the additional investments necessary to meet current and proposed pollution control regulations. This has been a major problem since Mr. Clarke started this business, and it is doubtful that it can be overcome.

GE EVENDALE SOLID WASTE DISPOSAL - CURRENT PROGRAM

EVALUATION FACTORS

Hauling: Distance - 13 miles round trip

Time per trip - $1\frac{1}{2}$ hours (Compactor)

1 hour (Other trucks)

Disposal Cost:

Annual Annual	Per Year
<pre>Incineration (current contract) *Industrial process wastes Hauling - trucks, driver, maintenance, etc</pre>	\$28,000 1,820 22,230
TOTAL	\$52,050
Unit	Per Ton
Disposal	\$4.80
Hauling	3.60
*Hauled to Northern Kentucky Landfill TOTAL	\$8.40

ADVANTAGES

- 1. Near plant short haul
- Current cost reasonable (cost will have to increase if air pollution equipment is installed).

DISADVANTAGES

- Does not meet current air and water pollution control regulations.
 Under order of Ohio EPA to cease operations by April 13, 1973 or comply.
 Order has been appealed by Clarke.
- 2. Location poor relative to public visibility.
- 3. Has only a "C" rating based on federal solid waste disposal criteria for proper incinerator operation.
- 4. Failure to meet regulations could indirectly involve General Electric (public image).
- 5. Operation has limited life due to small landfill area.
- 6. Can not accept industrial process waters.

AFFIDAVIT

Re: Skinner Landfill; U.S. EPA Section 104(e) CERCLA Information Request.

I, Thomas M. Sauer, do hereby swear that I have conducted and arranged for a diligent record search and interviews of current and former GE employees who might have information responsible to the information requested from General Electric Company in the above matter.

SIGNED and SEALED under the pains and penalties of perjury at Cincinnati, Ohio, this 3rd day of September, 1991.

Thomas M. Sauer

Sr. Environmental Engineer

Notary

BOBBIE L GRISWOLD

Notary Public, State of Ohio
My Commission Expires June 5, 1996



BROWNING-FERRIS INDUSTRIES

P.O. BOX 3151 . HOUSTON, TEXAS 77253 . 713/870-8100

June 24, 1994

Mr. Joseph A. Kawecki Responsible Party Search Section U.S. Environmental Protection Agency, HSM-5J 77 W. Jackson Boulevard Chicago, Illinois 60604

RE: SKINNER LANDFILL SUPERFUND SITE REQUEST FOR INFORMATION

DEGE 1 V E D

SUPERFUND PROGRAM MANAGEMENT BRANCH

Dear Mr. Kawecki:

A letter dated May 24, 1994 was received on June 08, 1994 addressed to BFI Waste Systems, 11563 Mosteller Road, Sharonville. OH 45241. This letter requests information regarding the above-mentioned site pursuant to Section 104(e) of CERCLA.

For your information, the correct corporate entity is Browning-Ferris Industries of Ohio, Inc. ("BFIOH"), and this response is made on behalf of BFIOH. BFIOH previously responded on June 5, 1991 to a request for information regarding the Skinner site. As part of its investigation, BFIOH conducted a diligent search for documents and conducted interviews with individuals who may have knowledge of BFIOH's activities.

In its earlier response, BFIOH stated that the only evidence of its involvement was that one BFIOH driver, Michael Tumulty, recalled transporting construction/demolition debris consisting of wood, bricks, dirt, cement blocks, and perhaps some paper and cardboard to the site on two separate occasions. Upon receipt of the 05/24/94 request from U.S. EPA, BFIOH began to investigate the matter further. As a result of its investigation, BFIOH discovered that Mr. Tumulty hauled the materials allegedly disposed at the site while working for a company called Clarke Services, Inc. -- not BFIOH. BFIOH purchased certain assets for cash from Clarke Services, Inc. on 03/01/84, but did not succeed to the liabilities of Clarke. Mr. Tumulty is a current employee of BFIOH. I request that any contact with Mr. Tumulty be arranged through BFIOH's counsel in this matter, Robert L. Gulley, Browning-Ferris Services, Inc., 757 N. Eldridge, Houston, TX 77079 (713) 870-7694.

PI/CIOHNSON/WP51/KMP/5052

BFIOH has located no evidence that it or any of its predecessor companies ever transported any materials to the site. This response will amend BFIOH's 06/05/91 response, and as specified in the instructions of U.S. EPA's latest request, will also address any new questions in the request. Set forth below are BFIOH's responses to each information request.

REOUESTS

1. <u>Identify all persons consulted in the preparation of the answers to these Information Requests.</u>

See response to 1 of BFIOH's 6/5/91 response.

2. <u>Identify all documents consulted, examined, or referred to in the preparation of the answers to these Requests and provide copies of all such documents.</u>

See response to 3 of BFIOH's 6/05/91 response.

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.

Based upon recently discovered information identified above, BFIOH believes that Clarke Services, Inc. may be able to provide information related to the site.

4. <u>List the EPA Identification Numbers of the Respondent, if any.</u>

See response to 4 of BFIOH's 6/05/91 response.

5. Identify the acts or omissions of any persons, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom, at the Site.

BFIOH does not have information responsive to this request.

6. <u>Identify all persons having knowledge or information about the generation, transportation, treatment, disposal or other handling of hazardous substances by you, your contractors, or by prior owners and/operators.</u>

Based upon investigations to date, BFIOH or its contractors did not generate, transport, treat, dispose or handle hazardous substances at the site.

7. <u>Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any hazardous substances or materials? If the answer to the preceding question is anything but an unqualified "no", identify:</u>

Based upon investigations to date, BFIOH has never used, purchased, stored, treated, disposed, transported or handled hazardous substances at the Site.

a) The chemical composition, characteristics, physical state (e.g., solid, liquid) of each hazardous substance;

Not applicable.

b) Who supplied you with such hazardous substances;

Not applicable.

c) How such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;

Not applicable.

d) When such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;

Not applicable.

e) Where such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and

Not applicable.

f) The quantity of such hazardous substances used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

Not applicable.

8. Provide copies of all income tax returns sent to the Federal Internal Revenue Service in the last three years.

See response to 9 of BFIOH's 6/05/91 response.

- 9. If Respondent is a Corporation, respond to the following requests:
 - a. Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.

 See response to 10a of BFIOH's 6/05/91 response.

- b. Provide Respondent's financial statements for the past five fiscal years, including, but not limited to those filed with the Internal Revenue Service.
 - See response to 10b of BFIOH's 6/05/91 response.
- c. <u>Identify all of Respondent's current assets and liabilities and the persons who currently own or are responsible for such assets and liabilities.</u>
 - Attached as Appendix 1 is an <u>unaudited</u> balance sheet for BFIOH. BFIOH is the correct corporate entity that is responsible for managing its assets and liabilities.
- 10. State whether at any time you merged or consolidated with any other entity or company, purchased stock or assets of any other company or entity, previously were known under the name of any other company or entity, or changed your name or assumed the name of any other company or entity, and describe in detail the circumstances of such merger, consolidation, asset or stock purchase, name change or assumption, including the dates thereof. In addition, identify all documents relating to or referring to any merger, consolidation, asset or stock purchase, name change or assumption.

The following Companies have been merged into BFIOH:

		Date
	Date	Merged
Company	Acquired	into BFI
Bradbury's Rubbish Disposal, Inc. (Ohio)	04/30/70	09/28/73
BFI Waste Systems of Ohio, Inc. (Ohio)	N/A	09/28/73
Brotherton Disposal, Inc. (Ohio)	05/05/72	09/28/73
C & I Refuse, Inc. (Ohio)	08/15/70	09/28/73
City Ash, Inc. (Ohio)	08/15/70	09/28/73
Granger Leasing, Inc. (Ohio)	04/30/70	09/28/73
Quick Trash Service, Inc. (Ohio)	05/25/70	09/28/73
Trumbull Sanitary Land Fill, Inc. (Ohio)	02/23/73	10/01/73
Testa Bros., Inc. (Ohio)	12/21/71	10/01/73
Yeagers' Development Company (Ohio)	09/28/72	10/01/73
Fairfield Industrial Development	05/01/72	10/01/73
Organization, Incorporated (Ohio)		
Browning-Ferris Industries of Kentucky, Inc. (Kentucky)	N/A	01/17/78
Browning-Ferris Industries of Buffalo, Inc. (New York)	N/A	09/30/79
Empire Sweeping Company (Ohio)	04/26/84	02/28/90
Glen Willow Properties, Inc. (Ohio)	03/12/92	04/10/92

BFIOH has purchased certain assets from various entities in the state of Ohio, but has not succeeded to the liabilities of any of these entities. Therefore, BFIOH is not providing a list of the transactions involving asset purchases.

11. If Respondent is a Partnership, provide copies of the Partnership Agreement.

Not applicable.

12. If Respondent is a Trust, provide all relevant agreements and documents to support this claim.

Not applicable.

13. The enclosed summary of Skinner logbook entries indicates that on or about the dates noted, many of you entered into a collection, transport or disposal transaction with the owners and/or operators of the Skinner Landfill. For each of these transactions, answer all questions below, as pertaining to such transaction(s).

Based upon investigations to date, BFIOH did not enter into any collection, transportation, or disposal transaction with the owners and/or operators of the Skinner Landfill.

14. Have you or any other person working with you or on your behalf ever accepted waste materials for transportation to the Site from any person? If the answer to this question is anything but an unequivocal "no," identify:

Based upon investigations to date, no.

a) The persons from whom you or such other persons accepted waste materials for transport to the Site;

Not applicable.

b) Every date on which waste materials were so accepted or transported;

Not applicable.

c) For each transaction, the nature of the waste materials accepted or transported, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the material was used or the process which generated the material;

Not applicable.

d) For each material, describe any warnings given to you with respect to its handling;

Not applicable.

e) The owner of the materials so accepted or transported;

Not applicable.

f) The quantity of the material involved (weight or volume) in each transaction and the total quantity for all transactions:

Not applicable.

g) All tests or analyses and analytical results concerning each material;

Not applicable.

h) The price charged for transport and/or disposal per drum, barrel, container, load (or whatever unit used) of waste materials brought to the Site.

Not applicable.

i) Identify each and every driver who transported any waste materials to the Site, providing full name, current or most recent address, and current or most recent employer. If the current address is unknown to you, please provide any information that would be useful in locating the person(s).

Not applicable.

j) Identify any other current or former employees other than drivers who have personal knowledge of waste materials being transported to the Site, providing full name, current or most recent address, and current or most recent employer. If the current address is unknown to you, please provide any information that would be useful in locating the person(s).

Not applicable.

15. <u>Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site or to the Site. In addition, identify the following:</u>

Based upon investigations to date, BFIOH did not arrange for disposal or treatment or arrange for transportation for disposal or treatment of any waste materials at the Site, and is unaware of any persons who may have done so.

- a) The persons with whom you or such other persons made such arrangements:

 Not applicable.
- b) Every date on which such arrangements took place;

Not applicable.

c) For each transaction, the nature of the waste material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid) and the process for which the substance was used or the process which generated the substance;

Not applicable.

d) The owner of the waste materials or hazardous substances so accepted or transported;

Not applicable.

e) The quantity of the waste materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;

Not applicable.

f) All tests, analyses, and analytical results concerning the waste materials:

Not applicable.

g) The persons(s) who selected the Site as the place to which the waste materials or hazardous substances were to be transported;

Not applicable.

h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;

Not applicable.

i) Where the person identified in g., above, intended to have such hazardous substances or waste materials transported and all evidence of this intent;

Not applicable.

j) Whether the waste materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;

Not applicable.

k) What was actually done to the waste materials or hazardous substances once they were brought to the Site;

Not applicable.

l) The final disposition of each of the waste materials or hazardous substances involved in such transactions;

Not applicable.

m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the waste material and hazardous substances involved in each transaction;

Not applicable.

n) The type and number of containers in which the waste materials or hazardous substances were contained when they were accepted for transport, and subsequently until there were deposited at the Site, and all markings on such containers;

Not applicable.

o) The price paid for (i) transport or (ii) disposal of (iii) both, of each waste material and hazardous substance;

Not applicable.

personal knowledge of waste materials being transported to the Site, providing full name, current or most recent address, and current or most recent employer. If the current address is unknown to you, please provide any information that would be useful in locating the person(s).

Not applicable.

q) All documents containing information responsive to a)-o) above, or in lieu of identification of all relevant documents, provide copies of all such documents;

Not applicable.

r) All persons with knowledge, information, or documents responsive to a)-o) above.

Not applicable.

BFIOH's investigation as a result of U.S. EPA's 05/24/94 Request for Information indicates that BFIOH has never transported any materials to the Skinner site. BFIOH requests that its name be removed from U.S. EPA's PRP list for the Skinner Landfill site.

Please direct any future questions to BFIOH's Counsel, Robert L. Gulley, whose address and phone number is provided above.

Sincereis

Bruce Emley
District Manager

cc: Michael L. Miller

Reader

Skinner Landfill 104(e) Subfile

KMP:cj

SKINNER LANDFILL PRP GROUP

Interview Whitton Witnesses November 7, 1994

Attendees - John Breslin, Kevin Hopper, Karen Lauzon, Chet Tisdale

Witnesses - Rodney Gibbon, son-in-law of the owner

Sean Whitton, son of the owner John Whitton, son of the owner

Phil Sloan-driver

Rodney stated they hauled no manufacturer's waste. Whitton only dumped at Skinner the last year of Skinner's operation. Whitton services the construction industry. Gibbon knows who Ray Skinner is but only by name. Mrs. Skinner would call if any money was due. He recalls hauling one load of roofing to Skinner. Sloan stated that he saw other trucks at the site but they were mostly flat-bed or pickup trucks with no identifying marks. Sometimes the site was busy when he went out there. He recalls seeing King at Skinner. One of the Whittons recalls scrap laying around. Gibbon stated that he dumped in an active area containing concrete. Sloan stated he couldn't dump in the pond and that an area on the right was roped off. He cannot recall how long ago that was. To the question "who hauled industrial waste in Cincinnati in the 1970's," Gibbon responded whoever was in the garbage business: Jennings Drayage, Rumpke, BFI, King. Whitton couldn't compete; only had two trucks in the 1970's and now has 13 trucks.

Whitton started in 1977. Back then everything was dumped at Elda Landfill. Clark was in the business and everyone knew Dick Clark and his father. E&E Container is another possibility. Whitton also hauled scrap glass to Elda Landfill now owned by Waste Management. He believes Jennings was sold to BFI and then Rumpke and that E&E sold out to Rumpke in about 1984. He recalls a company called Dick's Trash Service that was very big in the 1970's. When asked if they were aware of Chem-Dyne, Gibbons stated they were not connected in any way to Chem-Dyne. No connection, no relationship. It's only a coincidence that the Whitton name is the same. Jennings Drayage was based downtown at that time and was owned by Robert Jennings now deceased who was the former clerk of the court. King Wrecking/Container was a competitor back in the 1970's. They hauled compactors for industrial companies. Whitton lost accounts to King, they were bigger and had more equipment. King got out of the garbage business in the late 1970's-early 1980's. Gibbon stated that Marty Clark/Dick Clark are close to the Skinner location, located in Sharonville.

Karen J. Lauzon November 14, 1994

KING & SPALDING

101 PEACHTREE STREET ATLANTA GEORGIA 30303-1763

TELEPHONE: 404/572-4600 FACSIMILE: 404/572-5100

1730 PENNSYLVANIA AVENUE N.W. WASHINGTON, DC 20006-4706 TELEPHONE: 202/737-0500 FACSIMILE: 202/626-3737

MEMORANDUM

120 WEST 45TR STREET
NEW YORK, NY 10036-4003
TELEPHONE: 212/556-2100
FACSIMILE: 212/556-2222

TO:

SKINNER LANDFILL PRP GROUP

RECEIVER

FROM:

CHET TISDALE

DEC 0 2 1994

DATE:

NOVEMBER 29, 1994

Legal Department

Enclosed please find a copy of Roger Ludwick's sworn statement which was taken on November 8, 1994.

CHT: kb

IN RE: SKINNER LANDFILL SUPERFUND SITE. SWORN STATEMENT OF Taken by John Breslin, Esq., at the Stewart Potter United States Courthouse, 100 Main Street, Room 248, Cincinnati, Ohio at 9:30 a.m. on November 8, 1994 before Lisa Conley, RPR, a notary public within and for the State of Ohio. RECEIVED DEC 0 2 1994 Legal Department * ******

SPANGLER REPORTING SERVICES

No, I remember nothing about them Α. 1 2 being there. Velsacall? 3 0. No, I don t. 4 5 Vulcan Oil Company? 0. No. 6 Whitton Trucking Company? 7 No. - I don't think they was in 8 9 business back then, but maybe they were. Clark's Sanitary, any of the Clark? 10 0. I don't remember seeing their trucks 11 12 in there, but they certainly probably did bring some, you know. Everybody hauled into there. 13 14 Did you know Dick Clark? 0. 15 I just talked to Dick a while back, A. but I wouldn't know Dick if he walked in that 16 17 door. I probably know hundreds and hundreds, maybe thousands of people, but I don't know what they 18 look like. 19 20 Do you recall anything specifically 21 about Clark coming on to --All I recall about Clark's is 22 No. their fee packing used to burn material out there. 23 24 Q. Right. That was close to the Skinner 25 site?

1	A. Couple of miles away.
2	Q. You didn't have fee packing?
3	A. No.
4	Q. Abbot Ferkins Construction?
5	A. No.
6	Q. American Laundry Machinery?
7	A. Well, we used to move and haul their
8	material for them. In other words, they would make
9	machines, large machines and so forth, and John and
10	I would load them and haul them.
11	Q. Product?
12	A. No. Yeah, their pieces they made,
13	their large pieces for washing whatever they
14	washed.
15	Q. Did you ever do any waste disposal
16	type work for them?
17	A. No, no. That was all that I was
18	involved with, was the trucking part of it, rigging
19	and so forth, hauling.
20	Q. You said John did that?
21	A. Well, he and I did that.
22	Q. John, was he in that side of the
23	trucking business, too, hauling products around?
24	A. Yeah, right. We were riggers, heavy
25	